
Haines Borough
Borough Assembly Meeting #398
AGENDA

April 14, 2020 -6:30pm

Location: Assembly Chambers, Public Safety Bldg.

Jan Hill
Mayor

Jerry Lapp
Assembly Member

Gabe Thomas
Assembly Member

Stephanie Scott
Assembly Member

Zephyr Sincerny
Assembly Member

Paul Rogers
Assembly Member

Brenda Josephson
Assembly Member

Debra Schnabel
Borough Manager

Alekka Fullerton
Borough Clerk

1. CALL TO ORDER/PLEDGE TO THE FLAG/ROLL CALL

2. APPROVAL OF AGENDA & CONSENT AGENDA

[The following Consent Agenda items are indicated by an asterisk () and will be enacted by the motion to approve the agenda. There will be no separate discussion of these items unless an assembly member or other person so requests, in which event the asterisk will be removed and that item will be considered by the assembly on the regular agenda.]*

Consent Agenda:

3 – Approve Minutes from Regular Assembly Meeting

7A – Reschedule Public Hearing for Ordinance 20-02-558- TBD

*** 3. APPROVAL OF MINUTES – 3/24/20 Regular**

4. PUBLIC COMMENTS – Please provide your public comments in writing and send them to Clerk@haines.ak.us by 5:00 pm April 13. This meeting will be streamed via KHNS. Public Comments will be opened up for people on the telephone calling 1-800-315-6338, Access 28851#, during public comments, however, if you are listening to the meeting, please do so on KHNS. KHNS has a button on the right side of its page that says "Listen Live to Haines Borough Meetings" – that is your access to the live stream.

5. ASSEMBLY COMMENTS

6. MAYOR'S REPORT AND COMMENTS

7. PUBLIC HEARINGS – Please provide your public hearing comments in writing if possible. Public Hearing sign-ups will open when this agenda is published— please provide a telephone number and WE WILL CALL YOU. Remember, your written comments will likely be more influential since assembly members will have the opportunity to process your comments prior to the meeting.

***A. Ordinance 20-02-558**

An Ordinance of the Haines Borough Amending Haines Borough Code Title 7 Service Area Board

Motion: Reschedule the second public hearing to a date to be determined.

B. Ordinance 20-02-560

An Ordinance of the Haines Borough Amending Haines Borough Code Title 18 Chapter 18.20.020 Definition of Notice, Public and Chapter 18.30.020 Public Notice.

No motion necessary since Ordinance 20-02-560 is already scheduled for another public hearing 4/28/20.

C. Ordinance 20-03-562

An Ordinance of the Haines Borough Amending Haines Borough Code Title 5 to Change the Definition of Commercial Tour; Change the Commercial Tour Permit Fee and Reporting Structure; Amend the way changes are made to the Approved Commercial Ski Areas and various other Amendments to Title 5.

No motion necessary since Ordinance 20-02-560 is already scheduled for another public hearing 4/28/20.

8. STAFF/FACILITY REPORTS

A. Borough Manager

1. 4/14/20 Regular Manager's Report
2. EOC – IC Report
3. Proposed Substitute Manager's FY21 Budget

B. Borough Clerk - Report re Census

C. Finance Director – Report re Senior Center

9. COMMITTEE/COMMISSION/BOARD REPORTS & APPROVED MINUTES-

A. Planning Commission – Minutes from 2/13/20 Meeting

B. HEDC – Quarterly Update

10. UNFINISHED BUSINESS – None

11. NEW BUSINESS

A. Resolutions [Individual comments are limited to 3 minutes]

1. **Resolution 20-03-855 (Extension of Previously Adopted Legislation)**
A Resolution of the Haines Borough Assembly Requiring People in the Haines Borough to Shelter in Place Related to COVID-19.
Motion: Extend Resolution 20-03-855 until the State of Alaska Shelter in Place Resolution expires.
2. **Resolution 20-04-858**
A Resolution of the Haines Borough Assembly Requiring the Closure of the Haines Borough Library
This Resolution is sponsored by Paul Rogers.
Motion: Adopt Resolution 20-04-858.
3. **Resolution 20-04-859**
A Resolution of the Haines Borough Assembly Postponing Board of Equalization and extending appeal deadline
This Resolution is sponsored by Brenda Josephson.
Motion: Adopt Resolution 20-04-859.

B. Ordinances for Introduction

Note: Five minutes allowed for the assembly to determine if a proposed ordinance has merit and should be advanced to a public hearing.

1. **Emergency Ordinance 20-04-565**
An Emergency Ordinance of the Haines Borough Pursuant to Haines Borough code 2.12.040, Providing for the Quarantine of People Traveling to Haines due to covid-19 Pandemic Response.
This ordinance is being introduced by the Mayor and is recommended by the Borough Manager. **Motion:** Adopt Emergency Ordinance 20-04-565.

C. Other New Business

1. **Waiver of Skier Day Fees.**
2. **New Liquor License Application for Winery– Three Northmen**
The Alcohol and Marijuana Control Office (AMCO), prior to its final approval, is giving the local government an opportunity to make a statement, if desired.
Motion: Approve the liquor license application for a Winery owned by Three Northmen (Chris Thorgesen, Jeremy Groves, Chad Clark).
3. **Requests to Assembly:** None.

12. CORRESPONDENCE

13. SET MEETING DATES

A. Proposed Budget COW Schedule

14. PUBLIC COMMENTS

15. ANNOUNCEMENTS/ASSEMBLY COMMENTS/DIRECTION TO THE MANAGER

16. ADJOURNMENT

Haines Borough
Borough Assembly Meeting #397
March 24, 2020
MINUTES

Draft

1. **CALL TO ORDER/PLEDGE TO THE FLAG/ROLL CALL:** Mayor **HILL** called the meeting to order at 6:30 p.m. in the Assembly Chambers and led the pledge to the flag.

Present: Mayor **HILL**, Assembly Members Stephanie **SCOTT**, Brenda **JOSEPHSON**, Zephyr **SINCERNY**, Jerry **LAPP**, Paul **ROGERS** and Gabe **THOMAS**.

Staff Present: Debra **SCHNABEL**/Borough Manager, Alekka **FULLERTON**/Borough Clerk, Ed **COFFLAND**/Director of Public Facilities (on the phone).

Visitors Present: Terry **PARDEE**, Natalie **PARDEE**, Al **GIDDINGS**, Margaret **FRIEDENAUER**, Michael **FORD** (on the telephone), Ryan **COOK** (on the telephone), Heather **LENDE** (on the telephone), Erica **MERKLIN** (on the telephone) and others.

2. **APPROVAL OF AGENDA & CONSENT AGENDA**

The following Items were on the published consent agenda indicated by an asterisk (*)

- 3 – Approve Minutes from Regular Assembly Meeting
- 7A – Rescheduling of Second Public Hearing for Ordinance 20-02-558
- 7B - Rescheduling of Public Hearings for Ordinance 20-02-560
- 11B1 – Introduction of Ordinance 20-03-562

Motion: **JOSEPHSON** moved to “approve the agenda/consent agenda,” and Resolutions 20-03-853, Resolution 20-03-854 and Resolution 20-03-855 Emergency Resolutions were added to the agenda and the motion carried unanimously.

***3. APPROVAL OF MINUTES – 03/10/20 Regular.**

Note: The motion adopted by approval of the consent agenda: “approve minutes of the 03/10/20 regular borough assembly meeting.”

4. **PUBLIC COMMENTS:** **FORD**

5. **ASSEMBLY COMMENTS:** **THOMAS**

6. **MAYOR’S REPORT AND COMMENTS:**

Mayor **HILL** reported on COVID-19 and how the Haines Borough is responding.

7. **PUBLIC HEARINGS**

***A. Ordinance 20-02-558**

An Ordinance of the Haines Borough Amending Haines Borough Code Title 7 Service Area Board

Note: The motion adopted by approval of the consent agenda: “Reschedule Ordinance 20-02-558 for its second public hearing 4/14/20.”

***B. Ordinance 20-02-560**

An Ordinance of the Haines Borough Amending Haines Borough Code Title 18 Chapter 18.20.020 Definition of Notice, Public and Chapter 18.30.020 Public Notice.

Note: The motion adopted by approval of the consent agenda: “Reschedule Ordinance 20-02-560 for public hearings 4/14/20 and 4/28/20.”

8. **STAFF/FACILITY REPORTS**

A. Borough Manager – 03/24/20 Report

SCHNABEL summarized her written report and answered questions from the assembly. **FRIEDENAUER** updated HEDC information.

9. **COMMITTEE/COMMISSION/BOARD REPORTS & APPROVED MINUTES**

All non-essential Haines Borough Meetings have been canceled since March 13, 2020 due to the social distancing guidelines promulgated by the Center for Disease Control and the Alaska Department of Health and Social Services.

10. **UNFINISHED BUSINESS** – None.

11. **NEW BUSINESS**

A. Resolutions

1. **Resolution 20-03-853**

A Resolution of the Haines Borough Assembly Certifying the Declaration of Emergency in the Haines Borough Based on the Risk to the Public posed by the Global COVID-19 Pandemic and the Substantial Economic Impacts to the Haines Borough

COOK spoke with respect to this Resolution.

Motion: ROGERS moved to "Adopt Resolution 20-03-853,"

Primary Amendment: SCOTT moved to amend the Resolution to "start this resolution tomorrow and end it April 28" (withdrawn)

Secondary Amendment: JOSEPHSON moved to amend the amendment to "to strike the start date but to add a Review on April 28," and the motion carried unanimously.

The primary amendment was withdrawn so that the secondary amendment became the primary amendment.

and the main motion, as amended, carried unanimously.

2. **Resolution 20-03-854**

A Resolution of the Haines Borough Assembly Requiring that People Traveling into the Haines Borough Quarantine Related to COVID-19.

No member of the public spoke with regard to this Resolution.

Motion: LAPP moved to "Adopt Resolution 20-03-854,"

Primary Amendment: LAPP moved to amend the Resolution to "change designee to Borough Staff" and the motion carried unanimously.

Primary Amendment: JOSEPHSON moved to amend the Resolution to "terminate on 4/30/20 at 11:59 pm unless extended," and the motion carried unanimously.

and the main motion, as amended, carried unanimously.

3. **Resolution 20-03-855**

A Resolution of the Haines Borough Assembly Requiring People in the Haines Borough to Shelter in Place Related to COVID-19.

No member of the public spoke with regard to this Resolution.

Motion: JOSEPHSON moved to "Adopt Resolution 20-03-855,"

Primary Amendment: THOMAS moved to amend the Resolution to "terminate on 4/15/20 at 12:01 am unless extended," and the motion carried unanimously.

Primary Amendment: JOSEPHSON moved to "amend Section O to include "or beverages" after food" and the motion carried unanimously.

and the motion carried unanimously in a roll call vote.

11. **NEW BUSINESS**

A. Resolutions - *Continued*

4. Resolution 20-03-856

A Resolution of the Haines Borough Assembly for the Temporary Exemption from Sales and Bed Taxes for Short Term Rental until April 28, 2020

No member of the public spoke to the resolution.

Motion: LAPP moved to "Adopt Resolution 20-03-856," and the motion carried unanimously in a roll call vote.

B. Ordinances for Introduction

***1. Ordinance 20-03-562**

An Ordinance of the Haines Borough Amending Haines Borough Code Title 5 to Change the Definition of Commercial Tour; Change the Commercial Tour Permit Fee and Reporting Structure; Amend the way changes are made to the Approved Commercial Ski Areas and various other Amendments to Title 5.

Note: The motion adopted by approval of the consent agenda: "Introduce Ordinance 20-03-562 and schedule it for its first public hearing 4/14/20 and a second public hearing for 04/28/20."

2. Ordinance 20-03-563

An Emergency Ordinance of the Haines Borough Amending Haines Borough Code Title 2 Chapter 2.84 Donated Personal Leave.

Motion: JOSEPHSON moved to "Adopt Emergency Ordinance 20-03-563," and the motion carried unanimously in a roll call vote.

3. Ordinance 20-03-564

An Emergency Ordinance Of The Haines Borough Pursuant To Haines Borough Code 2.12.040, Providing For The Appropriation of Emergency Funds due to COVID-19 Response.

MERKLIN spoke in support of Emergency Ordinance 20-03-564.

Motion: JOSEPHSON moved to "Adopt Emergency Ordinance 20-03-564 in the amount of \$25,000 as indicated"

Primary Amendment: JOSEPHSON moved to amend the ordinance to include the cost for the decontamination trailer so that the appropriation would be \$88,730," and the motion carried unanimously.

Motion: JOSEPHSON moved to "Increase the Fire Chief's stipend to \$1,250 monthly beginning March 1, 2020 through the duration of the state-mandated emergency health disaster,"

Primary Amendment: JOSEPHSON moved to amend the amount to \$1,500 and the motion carried unanimously.

The main motion, as amended, carried unanimously in a roll call vote.

C. Other New Business

1. Response to Short-term Economic Impact of COVID-19 Outbreak

A. Borough Fees

i. Tour Permit Fees

ii. Absorption of Credit Card Fees

iii. Suspend water turn off due to non-payment and waiver of late fees

Motion: LAPP moved to "waive tour permit fees, suspend water turn off and waive late fees for water bills," and the motion carried unanimously in a roll call vote.

C. Other New Business

1. **Response to Short-term Economic Impact of COVID-19 Outbreak** –*Con't*
B. Resiliency Fund – HEDC memo

2. **Requests to Assembly**: None not associated with legislation.

12. CORRESPONDENCE

13. SET MEETING DATES

A. Joint School Board/Assembly meeting will be rescheduled.

14. PUBLIC COMMENTS: SCHNABEL, GIDDINGS

15. ANNOUNCEMENTS/ASSEMBLY COMMENTS/DIRECTION TO THE MANAGER

ROGERS, SCOTT, SINCERNY, LAPP, JOSEPHSON, THOMAS

16. ADJOURNMENT – 9:30 pm

ATTEST:

Janice Hill, Mayor

Alekkha Fullerton, Borough Clerk



**Haines Borough
Assembly Agenda Bill**

Agenda Bill No.: 20-1005

Assembly Meeting Date: 04/14/2020

Business Item Description:	Attachments:
Subject: Amending Service Area Boards	1. Ordinance 20-02-559
Originator: Clerk's Office	
Originating Department: Administration	
Date Submitted: 02/05/2020	

Full Title/Motion:
Motion: Reschedule public hearing TBD

Administrative Recommendation:
This resolution is recommended by the Clerk.

Fiscal Impact:			
Expenditure Required	Amount Budgeted	Appropriation Required	Projected Impact to Future Operating Budgets
\$	\$	\$ 0	Reduced maintenance costs

Comprehensive Plan Consistency Review:	
Comp Plan Goals/Objectives:	Consistent: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Summary Statement:
<p>**Updated: Due to limitations on public gatherings the 2nd public hearing should be deferred.</p> <p>There have been two ongoing difficulties with Service Area Boards, as follows:</p> <p>1) The definition of "persons from within the service area". The attached definition was amended by the assembly at its 02-11-20 meeting.</p> <p>2) For appointment to a Service Area Board, HBC 7.04.080 seems to require both a board recommendation for appointment (as provided in 2.60.055 referenced in 7.04.080A) AND direct appointment by the Mayor as directed in 7.04.080C. Since many RMSAs only meet once a year to make recommendations to the assembly with respect to their requested services and mill rates, it does not make sense to require them to opine as to other service board members. This change will allow for appointment by the Mayor and confirmation by the assembly.</p>

Referral:	
Referred to:	Referral Date:
Recommendation:	Meeting Date:

Assembly Action:	
Meeting Date(s): 2/11/20, 3/10/20, 3/24/20, 4/11/20	Public Hearing Date(s): 03/10/20, 04/11/20
	Postponed to Date:

**An Ordinance of the Haines Borough Amending Haines Borough Code Title 7
Service Area Boards**

BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

Section 1. Classification. This ordinance is of a general and permanent nature and the adopted amendment shall become a part of the Haines Borough Code.

Section 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held to be invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Section 3. Effective Date. This ordinance shall become effective immediately upon adoption.

Section 4. Amendment of Chapter 7.04.080. Chapter 7.04.080 of the Haines Borough Code of Ordinances is hereby amended to read as follows:

NOTE: **Bolded**/UNDERLINED ITEMS ARE TO BE ADDED
STRIKETHROUGH ITEMS ARE DELETED

NOTE: **Bolded**/UNDERLINED ITEMS ARE TO BE ADDED
STRIKETHROUGH ITEMS ARE DELETED

7.04.080 Boards.

A. The ordinance establishing a service area may provide for appointed or elected boards of persons from within the service area to make recommendations concerning services or other purposes, as permitted by statute. ~~For appointed boards, all appointments shall be made according to the provisions of HBC 2.60.055.~~ If the assembly determines that an appointed or elected board is not necessary, or if a board lacks the minimum membership required by the ordinance establishing that board, the assembly shall perform the functions of such board. **“Persons from within the service area” shall mean either a person who maintains their primary residence within the service area (regardless of ownership) or persons who own real property located within the service area.**

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS
__th DAY OF MARCH, 2020.

ATTEST:

Janice Hill, Mayor

Alekkha Fullerton, Borough Clerk

Date Introduced 02/11/20
Date of First Hearing 02/25/20
Date of Second Hearing 03/10/20



**Haines Borough
Assembly Agenda Bill**

Agenda Bill No.: 20-1007

Assembly Meeting Date: 04/14/2020

Business Item Description:	Attachments:
Subject: Public Hearing Process for Planning Commission	1. Ordinance 20-02-560 2. Current Haines Borough Code Section 18.20.020 and 18.30.020 3. Adopted Ordinance 17-06-459 4. Recommendation from the Planning Commission
Originator: Clerk's Office/Code Review Commission	
Originating Department: Administration	
Date Submitted: 1/20/20	

Full Title/Motion:

No motion necessary at this time.

Administrative Recommendation:

Fiscal Impact:

Expenditure Required	Amount Budgeted	Appropriation Required	Projected Impact to Future Operating Budgets
\$ 0	\$ 0	\$ 0	n/a

Comprehensive Plan Consistency Review:

Comp Plan Goals/Objectives:

Consistent: ☒ Yes ☐ No

Summary Statement:

When Ordinance 17-06-459 was adopted (July 11, 2017), written notification for property owners for conditional use permits, variance permits and other platting actions was extended from 200 feet to 500 feet and the timeline for such notification was extended to 10 business days. This ordinance amended HBC 18.30.020 Public Notice. It did not, however, amend HBC 18.20.020 Definitions - Regulatory "Notice, public" which still provides for the 200 feet notification and a seven day notification period. The code has become inconsistent.

The Code Review Commission considered the inconsistency and recommends that the definition for "Notice, public" be general and HBC 18.30.020 should be specific to Public Notice requirements for conditional use permit, variance permit, or certain platting action permits. The recommended changes will resolve the inconsistency in code.

Referral:

Referred to: CRC referred to Planning Commission

Referral Date: 1-21-20

Recommendation: Planning Commission review

Meeting Date: 2/14/20

Assembly Action:

Meeting Date(s): 03/10/2020

Public Hearing Date(s): 04/14/2020 and 04/28/2020

Postponed to Date:

An ordinance of the Haines Borough Amending Haines Borough Code Title 18 Chapter 18.20.020 Definition of Notice, Public and Chapter 18.30.020 Public Notice.

Section 1. Classification. Section 4 of this ordinance is of a general and permanent nature and the adopted amendment shall become a part of the Haines Borough Code.

Section 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held to be invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Section 3. Effective Date. This ordinance is effective upon adoption.

Section 4. Amendment of Section 18.20.020. Haines Borough Code 18.20.020 is hereby amended, as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE TO BE ADDED
STRIKETHROUGH ITEMS ARE DELETED

18.20.020 Definitions – Regulatory.

The definitions in this section are intended to be specific to this title. Any word or term not defined shall be used with the meaning of common or standard usage as determined by a current edition of Webster's Unabridged Dictionary. The following words shall have the following meanings for the purpose of this title:

...

"Notice, public" (~~conditional use, platting action permits, variance permits and rezonings~~).
For conditional use, platting action permits, variance permits and rezonings, public notice shall consist of all of the following:

1. An agenda item on the posted agenda;
2. Publication of the time, date and place of the meeting, and the agenda item, in a newspaper of general circulation in the borough **and posted in three public places** a minimum of five working days prior to the date of the meeting.
3. **In addition to the above, for conditional use permits, platting action permits, variance permits, rezonings, appeals, and section line and state recognized RS-2477 easement vacations**, additional notice requirements as described in 18.30.020 shall apply. ~~Written notification of property owners within 200 feet from property which is the location of a proposed conditional use permit, variance permit, or certain platting action permits. Such notice shall state what type of permit has been~~

Haines Borough
Ordinance No. 20-02-560
Page 2 of 2

~~applied for, give the date of the hearing thereon, the proposed use and the fact that further information is available from the manager. Such notification shall be done at least seven days prior to the conduct of the hearing.~~

Section 5. Amendment of Section 18.30.020. Haines Borough Code 18.30.020 is hereby amended, as follows:

18.30.020 Public notice.

For conditional use permits, platting action permits, variance permits, rezonings, appeals, and section line and state recognized RS-2477 easement vacations, public notice shall consist of all of the following:

- A. An agenda item on the posted agenda;
- B. Publication of the time, date and place of the meeting and the agenda item in a newspaper of general circulation in the borough a minimum of 10 business days prior to the date of the meeting;
- C. All property owners within an area of 500 feet from the location of a proposed variance, conditional use or rezoning, or section line easement, and all property owners abutting a transportation corridor identified in a conditional use permit application shall be notified in writing of the application, the date of the hearing thereon, the proposed use or zone, and the fact that further information is available from the manager. Such notification shall be issued at least 10 business days prior to the conduct of the hearing.

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS ___th DAY OF _____, 2020.

Hon. Janice Hill, Mayor

ATTEST:

Alekka Fullerton, CMC, Borough Clerk

Date Introduced: 03/10/20
Date of First Public Hearing: 03/24/20
Date of Second Public Hearing: 04/14/20

18.20.020 Definitions – Regulatory.

The definitions in this section are intended to be specific to this title. Any word or term not defined shall be used with the meaning of common or standard usage as determined by a current edition of Webster's Unabridged Dictionary. The following words shall have the following meanings for the purpose of this title:

...

"Notice, public" (conditional use, platting action permits, variance permits and rezonings). For conditional use, platting action permits, variance permits and rezonings, public notice shall consist of all of the following:

1. An agenda item on the posted agenda;
2. Publication of the time, date and place of the meeting, and the agenda item, in a newspaper of general circulation in the borough a minimum of five working days prior to the date of the meeting;
3. Written notification of all property owners within 200 feet from property which is the location of a proposed conditional use permit, variance permit, or certain platting action permits. Such notice shall state what type of permit has been applied for, give the date of the hearing thereon, the proposed use, and the fact that further information is available from the manager. Such notification shall be done at least seven days prior to the conduct of the hearing.

18.30.020 Public notice.

For conditional use permits, rezonings, appeals, and section line and state recognized RS-2477 easement vacations, public notice shall consist of all of the following:

- A. An agenda item on the posted agenda;
- B. Publication of the time, date and place of the meeting and the agenda item in a newspaper of general circulation in the borough a minimum of 10 business days prior to the date of the meeting;
- C. All property owners within an area of 500 feet from the location of a proposed variance, conditional use or rezoning, or section line easement, and all property owners abutting a transportation corridor identified in a conditional use permit application shall be notified in writing of the application, the date of the hearing thereon, the proposed use or zone, and the fact that further information is available from the manager. Such notification shall be issued at least 10 business days prior to the conduct of the hearing. (Ord. 19-02-523 § 5; Ord. 17-06-459 § 4)

Adopted

An Ordinance of the Haines Borough amending Haines Borough Code 18.30.020 Public Notice to increase the area by which property owners are notified in writing of a permit, rezoning, or an appeal to the Planning Commission.

BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

Section 1. Classification. This ordinance is of a general and permanent nature and the adopted amendment shall become a part of the Haines Borough Code.

Section 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held to be invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Section 3. Effective Date. This ordinance is effective upon adoption.

Section 4. Amendment of Title 18.30.020: Land/Use Development Administrative Provisions for Public Notice in Haines Borough Code are hereby amended, as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE TO BE ADDED
STRIKETHROUGH ITEMS ARE DELETED

18.30.020 Public Notice.

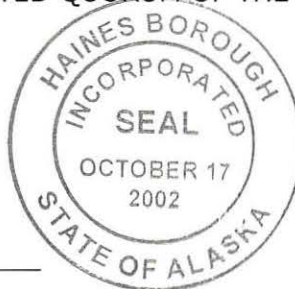
For conditional use permits, rezonings and appeals, public notice shall consist of all of the following:

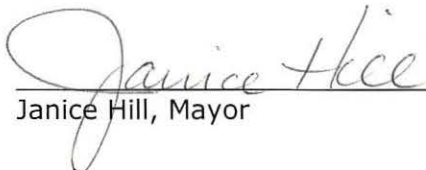
- A. An agenda item on the posted agenda;
- B. Publication of the time, date and place of the meeting and the agenda item in a newspaper of general circulation in the borough a minimum of ~~five~~ **ten business** days prior to the date of the meeting;
- C. All property owners within an area of ~~200~~ **500** feet from the location of a proposed variance, conditional use or rezoning **and all property owners abutting a transportation corridor identified in a conditional use permit application** shall be notified in writing of the application, the date of the hearing thereon, the proposed use or zone, and the fact that further information is available from the manager. Such notification shall be ~~done~~ **issued** at least five **ten business** days prior to the conduct of the hearing.

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS 11th DAY OF JULY, 2017.

ATTEST:


Julie Cozzi, MMC, Borough Clerk




Janice Hill, Mayor

Date Introduced: 06/13/17
Date of First Public Hearing: 06/27/17
Date of Second Public Hearing: 07/11/17



Haines Borough
BOROUGH ASSEMBLY
ACTION REQUEST

DATE: February 13th, 2020

TO: Borough Assembly

FROM: Borough Planning Commission

SUBJECT: Draft Ordinance: Clarifying 'Public Notice' in Title 18

ACTION:

Motion: Lapham moved to "recommend the assembly adopt the draft ordinance" and the motion carried unanimously.

RATIONALE:

Our recommendation is to update the definition of public notice to be more general and then provide for specific permit public notice requirements in 18.30.020. Currently they are inconsistent.

BOARD REQUEST:

The Planning Commission requests that the Assembly adopt draft ordinance.

SUBMITTED BY *Diana L. Lapham*
Diana Lapham, Chair
Haines Borough Planning Commission



**Haines Borough
Assembly Agenda Bill**

Agenda Bill No.: 20-1009

Assembly Meeting Date: 04/14/20

Business Item Description:	Attachments:
Subject: Amendments to Title 5	1. Ordinance 20-03-562
Originator: Assembly	
Originating Department: Assembly	
Date Submitted: 3/12/20	

Full Title/Motion:
No motion needed at this time.

Administrative Recommendation:

Fiscal Impact:			
Expenditure Required	Amount Budgeted	Appropriation Required	Projected Impact to Future Operating Budgets
\$	\$	\$	

Comprehensive Plan Consistency Review:	
Comp Plan Goals/Objectives:	Consistent: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Summary Statement:
<p>Ordinance 20-03-559 finishes the updating to Title 5 which has been in process for the last 10 years. The changes included in this Ordinance are supported by both staff and the Tourism Advisory Board (TAB) and reflects the opinions articulated by the Commerce Committee at their last meeting.</p> <p>Staff presented a draft Ordinance FOR DISCUSSION late last year. TAB has met eight times (weekly since 2/13). The Commerce Committee reviewed the draft on February 18. TAB and staff continued to work together to come to an agreed upon draft. This Ordinance is the result of such collaboration and is supported by TAB.</p>

Referral:
Referred to: _____ Referral Date: _____ Recommendation: _____ Meeting Date: _____

Assembly Action:
Meeting Date(s): 3/24/20 Public Hearing Date(s): 4/11/20, 4/28/20 Postponed to Date: _____

An Ordinance of the Haines Borough Amending Haines Borough Code Title 5 to Change the Definition of Commercial Tour; Change the Commercial Tour Permit Fee and Reporting Structure; Amend the way changes are made to the Approved Commercial Ski Areas and various other Amendments to Title 5.

BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

Section 1. Classification. This ordinance is of a general and permanent nature and the adopted amendment shall become a part of the Haines Borough Code.

Section 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held to be invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Section 3. Effective Date. This ordinance shall become effective January 1, 2021. All provisions contained in Ordinance 18-09-512, not changed by this ordinance, shall become a permanent part of the Haines Borough Code.

Section 4. Amendment of Chapter 5.01. Chapter 5.01 of the Haines Borough Code of Ordinances is amended as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE TO BE ADDED
STRIKETHROUGH ITEMS ARE DELETED

Chapter 5.01 GENERAL PROVISIONS

Sections:

- 5.01.010 Purpose, type and scope.
- 5.01.020 Definitions
- 5.01.030 Regulation by the Borough.
- 5.01.040 Clerk to keep record of licenses and permits issued.
- 5.01.050 Conditions applicable to all permits.
- 5.01.060 ~~Solicitation on Public Property.~~ **Revocation and suspension – Procedure.**
- 5.01.065 Appeal from decision of the Manager.**
- 5.01.070 Penalties.

Section 5. Amendment of Chapter 5.01.010. Chapter 5.01.010 of the Haines Borough Code of Ordinances is amended to read as follows:

5.01.010 Purpose, Type, and scope.

A. Where this title imposes a greater restriction upon persons, premises, or personal property than is imposed by the provisions of any other ordinance, the provisions of this title shall control.

B. The purpose of this title is to regulate business and other activities within the Haines Borough in order to: ~~protect the public safety and welfare; protect local business establishments from unfair competition; maintain safe and efficient pedestrian access and traffic flow;~~ maintain an attractive community environment ~~for tourism; avoid litter; and~~ ensure the safe, efficient, and fair operation of commercial tours, business enterprises, and related activities; **and to ensure the proper collection of sales tax.**

Section 6. Amendment of Chapter 5.01.020. Chapter 5.01.020 of the Haines Borough Code of Ordinances is amended to read as follows:

5.01.020 Definitions.

For the purposes of this title, the following terms shall be defined as follows:

...

"Commercial helicopter tour" means a commercial helicopter operation, other than a commercial ski tour or commercial ski production that provides a helicopter-assisted tour to or through an area. ~~It is a commercial tour and requires a permit.~~

"Commercial ski tour" means a commercial tour ~~as defined in HBC 5.18.010(B)~~ that: (1) includes downhill skiing or snowboarding as the primary experience; and (2) includes professionally guided skiing and snowboarding; and (3) includes daily transportation of the customer by all means other than helicopter to and from the skiing or snowboarding area as frequently as weather permits.

"Commercial tour" means the selling and/or providing of guided, or escorted **services that last less than 24 hours without including an overnight stay and is offered for sale and sold by an agent or operator at a predetermined price.** ~~tours, excursions, experiences, sightseeing trips, or visits to a natural or cultural display, and includes all services provided, whether or not incidental to, advertised with, or specifically offered in the sale.~~

...

"Expanded tour" means a tour which is more than 10% larger than the number of customers requested in the original permit application or new areas not requested in the original permit application.

...

~~"Guided fishing charters" means a qualified individual or company for hire who take customers fishing.~~

~~"Guided hunting charters" means a qualified individual or company for hire who take customers hunting.~~

"Primary Activity" means hiking; non-motorized water craft; motorized water craft; Motorized vehicles; Van, Shuttle or Bus Tour; Misc/Other Tour.

Section 7. Amendment of Chapter 5.01.050. Chapter 5.01.050 of the Haines Borough Code of Ordinances is amended to read as follows:

5.01.050 Conditions applicable to all permits.

...

D. Transferability

...

3. A transferred permit shall not be valid, and the new permittee may not conduct

any activities under the permit, until the permit has been reissued by the clerk after the clerk is satisfied that the new permittee will comply with all conditions in the permit and under the applicable provisions of this title.

E. Limitations

...

3. Solicitation on Public Property. In accordance with the purpose of this title, no person or entity may exhibit, sell products, or deliver goods, wares, merchandise, tours and services from a public street, alley, sidewalk, Portage Cove Harbor, dock/wharf or other public place except as expressly authorized by the borough manager, or provided by conditions of the permit.

F. Fraud. Unfair competitive practices are strictly prohibited. A permittee who commits any act of deceit, fraud or misrepresentation that would constitute an unlawful act or practice under AS 45.50.471, either through the permittee's own act or through the acts of the permittee's employee, agent, or representative, in relation to an activity authorized under the permit shall, upon conviction, be punished as provided in ~~HBC 5.04.140~~ **HBC 5.01.070.**

Section 8. Repeal and reenactment of Chapter 5.01.060. Chapter 5.01.060 of the Haines Borough Code of Ordinances is repealed and reenacted to read as follows:

5.01.060 Solicitation on public property.

~~In accordance with the purpose of this title, no person or entity may exhibit, sell products, or deliver goods, wares, merchandise, tours and services from a public street, alley, sidewalk, Portage Cove Harbor, dock/wharf or other public place except as expressly authorized by the borough manager, or provided by conditions of the permit. The manager may allow the use of public property for dissemination of educational or charitable information upon application and at the manager's discretion.~~

5.01.060 Revocation or suspension – Procedure. *(Clerk's note: Moved from 5.04.120 in its entirety)*

A. The manager may at any time revoke or suspend a permit issued under this title for the following reasons:

- 1. Substantial noncompliance with any term, condition or provision of the permit;**
- 2. Violation of any provision of this title or other applicable local, state or federal law, ordinance, or regulation;**
- 3. Upon a determination that the suspension of the permit is necessary to remedy an unforeseen consequence which threatens the safety or welfare of the public; operation of the permittee is causing a hazard or a disruption of pedestrian or vehicular traffic;**
- 4. Upon a determination that the permittee secured the permit through deceit, fraud, or intentional misrepresentation; or**

~~5. That the area affected by the permit is required for another public purpose or for other reasons affecting the public safety or welfare.~~

B. The manager shall give the permittee written notice of the proposed revocation or suspension of the permit(s). If the manager determines that the reason for the revocation or suspension may endanger the public health or safety, or is based on repeated noncompliance, the revocation or suspension may take effect immediately. If the manager determines that the reason for the revocation or suspension does not endanger the public health or safety, or is not based on repeated noncompliance, the effective date of the revocation or suspension may be delayed until the date set for an appeal hearing before the assembly.

C. The permittee may appeal the decision of the manager to the assembly and request a public hearing by filing a written notice of appeal with the clerk not later than three days after receipt of the written notice of proposed revocation or suspension. Upon receipt of the notice of appeal, the clerk shall place the ~~set the date of the hearing of the appeal on before the assembly's next regularly published agenda.~~ The clerk shall notify the appellant of the time and place of the hearing at least three days prior to the hearing. After the appeal hearing, the assembly may modify, revoke, rescind, or affirm the decision from which the appeal is taken, or may enter its own order.

If the permittee does not appeal the manager's decision, the revocation or suspension shall become final at the end of the appeal period.

A decision of the assembly may be appealed to the proper court.

D. Revocation of a permit shall result in cessation by the permittee of all permitted activities during the year for which that permit is issued. Unless otherwise provided, revocation of a permit on the grounds stated in (A)(1), (2), (3) or (4) of this section shall result in the loss of the privilege to have that permit renewed for the period of one year after the date the revocation is effective. After revocation, any application shall be treated as a new application.

E. Suspension of a permit shall result in cessation by the permittee of all identified activities until the manager notifies the permittee that the reasons for the suspension have been satisfactorily corrected or until the suspension is reversed by the assembly. A suspension may be conditioned on correction of a status or condition of a person or a vehicle.

Section 9. Addition of Chapter 5.01.065. Chapter 5.01.065 of the Haines Borough Code of Ordinances is added to read as follows:

5.01.065 Appeal from decision of manager. *(Clerk's note: Moved from 5.18.075 in its entirety)*

A. An applicant or permittee desiring to appeal a decision of the manager made pursuant to this chapter shall, within 15 days after the written decision is mailed to the applicant or permittee, file with the manager a written notice of appeal to the assembly. The notice of appeal shall state with particularity the order or decision from which the appeal is taken and the grounds of the appeal. The stated

grounds will be the only issues considered by the assembly in the appeal.

B. Filing of a notice of appeal under this section will operate to stay a decision of the manager to deny renewal of a permit.

C. Upon receipt of the notice of appeal, the mayor shall set the date of the hearing before the assembly. The mayor shall notify the appellant of the time and place of

A. An applicant or permittee desiring to appeal a decision of the manager made pursuant to this chapter shall, within 15 days after the written decision is mailed to the applicant or permittee, file with the manager a written notice of appeal to the assembly. The notice of appeal shall state with particularity the order or decision from which the appeal is taken and the grounds of the appeal. The stated grounds will be the only issues considered by the assembly in the appeal.

B. Filing of a notice of appeal under this section will operate to stay a decision of the manager to deny renewal of a permit.

C. Upon receipt of the notice of appeal, the mayor shall set the date of the hearing before the assembly. The mayor shall notify the appellant of the time and place of the hearing. The notice of the appeal hearing shall be given to the appellant at least three days prior to the hearing.

D. After the appeal hearing, the assembly may modify, revoke, rescind, or affirm the order from which the appeal is taken, or may enter its own order. A decision of the assembly may be appealed to the proper court.

Section 10. Amendment of Chapter 5.02.020. Chapter 5.02.020 of the Haines Borough Code of Ordinances is amended to read as follows:

5.02.020 Violation a minor offense.

Violators who refuse to obtain a business license ~~after notification of the~~ commit a minor offense and are subject to fines and penalties as described in HBC Chapter 1.24.

Section 11. Amendment of Chapter 5.04.050. Chapter 5.04.050 of the Haines Borough Code of Ordinances is amended to read as follows:

5.04.050 Permit application.

...

C. Before a permit is issued under this title, a permit applicant must first obtain a borough business license (except if the merchant/vendor has a Fair Vendor permit or a transient and itinerant merchant permit) ~~and any other required state and/or local licenses or permits.~~

...

Section 12. Repeal of Chapter 5.04.120 Chapter 5.04.120 of the Haines Borough Code of Ordinances is hereby repealed and reserved.

Section 13. Amendment of Chapter 5.04.130 Chapter 5.04.130 of the Haines Borough Code of Ordinances is amended to read as follows:

5.04.130 Fees designated.

...

D. Permit Renewal Fee. The ~~annual~~ renewal fee for a permit required by this title is the same as the application fee for that permit.

Section 14. Amendment of Chapter 5.08.030 Chapter 5.08.030 of the Haines Borough Code of Ordinances is amended to read as follows:

5.08.030 Transient and itinerant merchants and vendors.

A. No person may engage in the temporary business of exhibiting, selling, and delivering goods, wares, services, **tours** or merchandise within the borough, whether alone, in association with, or in the name of a local dealer, merchant, or auctioneer, without first procuring a permit. ~~This section does not apply to a commercial traveler who occupies a temporary location and exhibits samples for the purpose of securing orders for future deliveries, but does not sell from stock.~~ The acquisition of the transient and itinerant merchant's permit exempts the merchant from the requirement to obtain a business license.

...

D. This section may not be construed to authorize a person to solicit for sales or sell goods, wares, services, **tours** or merchandise in a residential area in violation of other provisions of

As used in this section, "temporary" means for a period contemplated to be less than 120 consecutive days' duration.

Section 15. Amendment of Chapter 5.18. Chapter 5.18 of the Haines Borough Code of Ordinances is amended to read as follows:

**Chapter 5.18
COMMERCIAL TOUR PERMITS**

Sections:

- 5.18.010 Intent and definition.
- 5.18.015 Permit required.
- 5.18.020 Number of permits available.
- 5.18.025 Fee Designation
- 5.18.030 Application process.
- 5.18.040 Hearing for commercial tours.
- 5.18.050 Issuance of permit.
- 5.18.060 Renewal.
- 5.18.065 Reporting.

5.18.070 Permit revocation, suspension **and Appeal from Decision of Manager** ~~or reduction in skier day allocation.~~

~~5.18.075 Appeal from Decision of manager.~~

Section 16. Amendment of Chapter 5.18.015. Chapter 5.18.015 of the Haines Borough Code of Ordinances is amended to read as follows:

5.18.015 Permit required.

A. No person **or entity** shall operate a commercial tour in the Haines Borough except as authorized by a duly issued and currently valid tour permit obtained pursuant to this chapter for each commercial tour **primary activity** offered. ~~B. Multiple tour activities by a single operator having different impacts on the Haines Borough may require a separate commercial tour permit.~~ **"Impacts" is a subjective evaluation considering traffic, congestion (density), land use, noise, population, and displacement of public use and access.**

~~C.~~ **B.** Permits shall be issued biennially and the permit year shall be from May 1 – April 30 except that **heliski** permits issued under Chapter 5.24 shall be valid between February 1 and May 3. Proof of valid insurance shall be provided annually.

~~**D.** Exemptions. The following are exempted from the regulation of this chapter:~~

- ~~1. Fishing and hunting charters with a total capacity of six or less customers per excursion.~~
- ~~2. Guided overnight excursions occurring outside the townsite service area.~~

Section 17. Addition of Chapter 5.18.018. Chapter 5.18.018 of the Haines Borough Code of Ordinances is amended to read as follows:

5.18.018 Multi-Day Tours

Multi-day tours are tours operated by the same tour company in excess of 24 hours. These tours do not require a tour permit but they are still required to have a business license and to complete an annual report per HBC 5.18.065.

Section 18. Addition of Chapter 5.18.025. Chapter 5.18.025 of the Haines Borough Code of Ordinances is added to read as follows:

5.18.025 Fee Designation

A. ~~For 2019,~~ **The Haines Borough permits activities in identified locations and commercial tour vehicle parking. Primary activities are identified as tours. An applicant for a permit must identify the activity and the location(s) where the tour will occur.** An applicant for a commercial tour permit required by this title shall pay the a following nonrefundable application fee at the time of application:

1. Flat tour permit fee of \$250 per activity for a term of 2 years and \$250 public hearing fee for new or expanded tours. ~~Commercial Tour Permittees shall pay \$75.00 for a company who annually serves fewer than 5,000 customers and \$250.00 for a company who serves more than 5,000 customers annually.~~

2. Commercial Tour Vehicle Parking Permit. Tour permittees shall pay \$10 per vehicle for less than 15 passenger vehicles and \$25 per vehicle for larger than 15 passenger vehicles for a Commercial Tour Vehicle Parking Permit to park at the Portage Cove dock parking lot. Companies must park two vehicles designed to carry fewer than 15 passengers in one bus parking place at the PC Dock.

...

Section 19. Amendment of Chapter 5.18.030. Chapter 5.18.030 of the Haines Borough Code of Ordinances is amended to read as follows:

5.18.030 Application process.

A. Application for a commercial tour permit and permit renewal shall be made using the procedures set out in Chapter 5.04 HBC and this chapter.

B. An applicant must make application on the borough approved Commercial Tour Permit Application **form**. ~~and provide the following information:~~

- ~~1. Name, address, and telephone number of applicant and all principals.~~
- ~~2. Customer capacity; number of vehicles to be used; location of all phases of the tour(s), including where the tour(s) will be offered for sale and scheduled stops; a summary of the tour(s); a map showing the routes to be taken; and hours of operation. One copy of each published pamphlet or brochure describing each tour must accompany the application.~~
- ~~3. Broker's certificate of \$500,000 of current commercial general liability insurance naming the borough as additional insured. The policy shall not contain any self-insured retention or deductible in excess of \$1,000 and shall include a provision requiring written notification to be given to the borough by the insurance company not less than 30 days before the policy is canceled, modified, or terminated for any reason.~~
- ~~4. Proof of worker's compensation insurance where applicable by law.~~
- ~~5. A copy of current Haines Borough business license.~~
- ~~6. Current copy of a signed tour operator's code of conduct agreement which shall be approved by the borough assembly.~~
- ~~7. An explanation of any felony conviction within the past five years.~~
- ~~8. A safety and operating plan for heli-skiing and helicopter tours.~~

C. Applications for new commercial **or expanded** tours shall require a public hearing and approval of the assembly as described in HBC 5.18.040 prior to issuance of a permit. TAB has recommended removing this section (C) in its entirety but I think the intention was to get rid of Staff changes which were **The Clerk shall provide notice of new or expanded tour permits to the public. The Clerk may schedule a public hearing before the assembly for any applications which, in the Clerk's discretion, warrant a public hearing.**

D. The police chief, tourism director, and harbormaster shall review ~~any~~ **all tour applications** ~~for a tour and, for all tours subject to a hearing,~~ submit a recommendation to the assembly for consideration ~~prior to the scheduled hearing~~ **Clerk prior to issuance of a permit.**

Section 20. Amendment of Chapter 5.18.040. Chapter 5.18.040 of the Haines Borough Code of Ordinances is amended to read as follows:

5.18.040 Public hearing for new commercial tours required.

A. ~~An applicant for a commercial tour permit shall provide, in addition to the application, any additional information the clerk considers appropriate to adequately notify the public of the proposed tour, based upon the nature of the tour. Upon receipt of a new commercial tour application, or upon determination that an renewal application requires a hearing per HBC 5.18.060,~~ the clerk shall fix a time and place for a public hearing before the assembly. Notice in writing of such hearing shall be given to the applicant. Due notice shall also be given to the general public by publishing a notice of such hearing in a local newspaper at least five days prior to the hearing containing a brief description of the proposed tour and indicating that a detailed description of the tour will be made available at the clerk's office and publicly posted.

B. The clerk shall post, in the same posting places used for other postings, a detailed description of the proposed tour, including route maps and numbers of persons anticipated to be taken on each tour, as well as any other information the clerk considers appropriate to illustrate the impacts of the tour on the community.

C. ~~The police chief, tourism director, and harbormaster shall review any application for a tour and, for all tours subject to a hearing, submit a recommendation to the assembly for consideration prior to the scheduled hearing. In addition, any person may file with the clerk a written submittal in support of or in opposition to the issuance of a permit and/or may voice the person's opinions at the hearing. The assembly will consider all verified comments before acting on the permit application.~~

Section 21. Amendment of Chapter 5.18.060. Chapter 5.18.060 of the Haines Borough Code of Ordinances is amended to read as follows:

5.18.060 Renewal.

A commercial tour permit issued for the previous year may be renewed upon application to the clerk. The review standards that apply to initial permit applications shall apply to applications for the renewal of a permit, except that a renewal application does not require a hearing under HBC 5.18.040 unless the applicant proposes ~~to expand the capacity of an existing tour.~~ **an expanded tour.**

Section 22. Amendment of Chapter 5.18.060. Chapter 5.18.060 of the Haines Borough Code of Ordinances is amended to read as follows:

5.18.065 Reporting.

A. By November 1st, and before renewal of permit, all permittees except Commercial Heliski Tours must report all actual numbers of annual customers for the previous year **on the form provided by the Borough Clerk.** Tour operators required to submit totals to a state or federal entity must also report these totals to the borough clerk.

...

C. Failure to Report pursuant to HBC 5.18.065 shall constitute a minor offense punishable by a fine of \$500.00 for each offense, unless a different amount is specified in HBC 1.24.

Section 23. Amendment of Chapter 5.18.070. Chapter 5.18.070 of the Haines Borough Code of Ordinances is amended to read as follows:

5.18.070 Permit revocation, suspension or reduction in skier day allocation and appeal from decision of manager.

A commercial tour permit may be revoked or suspended ~~or the number of skier days allocated pursuant to HBC 5.24.030 may be reduced~~ for the reasons identified and procedures set forth in HBC 5.01.060 ~~and in accordance with the procedures set forth in HBC 5.04.120.~~ **Appeals from the decision of the manager shall follow the procedures set forth in HBC 5.01.065.**

Section 24. Repeal of Chapter 5.18.075. Chapter 5.18.075 of the Haines Borough Code of Ordinances is hereby repealed and reserved. ***Clerk's Note: Chapter 5.18.075 is moved to Chapter 5.01.065 above.*

Section 25. Amendment of Chapter 5.22.020. Chapter 5.22.020 of the Haines Borough Code of Ordinances is amended to read as follows:

5.22.020 Number of vehicle permits available.

The borough may limit the number of vehicle permits available. Renewal of existing permits by operators who have not had their permit revoked for failure to comply with this chapter shall have priority over new or expanded commercial tour or passenger vehicle parking permit applications. The clerk will determine the number of parking permit vacancies available and allow new applicants to apply based on their position on a waiting list maintained by the clerk.

Section 26. Amendment of Chapter 5.24.020. Chapter 5.24.020 of the Haines Borough Code of Ordinances is hereby amended as follows:

5.24.020 Permit required.

...

C. Permit revocation, suspension or reduction in skier day allocation. A commercial tour permit may be revoked or suspended or the number of skier days allocated pursuant to HBC 5.24.030 may be reduced for the reasons identified and procedures set forth in HBC 5.01.060.

Section 27. Amendment of Chapter 5.24.050. Chapter 5.24.050 of the Haines Borough Code of Ordinances is hereby amended as follows:

5.24.050 Approved Commercial Ski Tour Areas.

...

D. Non-temporary Amendment of the Haines Borough Approved Commercial Ski Tour Areas Map.

1. Amendments to the Haines Borough Approved Commercial Ski Tour Areas map ~~shall only~~ **may** be considered on a ~~three~~ **five**-year cycle beginning ~~in 2016~~ **2020**. The process to review and amend the map shall be according to the following procedures:
 - a. At least 30 days prior to May 15th of every ~~third~~ **fifth** year after ~~2016~~ **2020**, the manager will solicit proposals for possible map amendments. Proposals are due by May 15th of that year, ~~and will contain illustrations of the specific areas~~ **Proposals shall include the name and contact information of the party proposing the amendment** and justification for the proposed amendments. **The area of the proposal shall be submitted in a Google Earth Keyhole Markup (.kml) format or Environmental Systems Research Institute shapefile (.shp) format. Only one specific area per proposal is allowed (a party proposing multiple areas to be amended must submit multiple proposals).** **Proposals are due by May 15th, 2019.**
 - b. **If the Manager determines the proposals are complete and with merit, A**~~as~~ soon as possible after May 15th, the manager ~~may~~ **shall** establish an advisory committee to review any proposed map amendments, ~~received by the proposal deadline.~~ The committee shall convene no later than June 15th **30th**.
 - c. The committee shall include **at minimum: one heliski permittee, one representative of Takshanuk Watershed Council, one Assembly member, one member of Parks & Recreation Committee and one member of the Tourism Advisory Board, none of whom represent a proposing organization or individual. Committee members may be volunteers chosen at random.** ~~the following five voting members:~~
 - ~~_____ (1) A representative of a local conservation organization, appointed by the mayor;~~
 - ~~_____ (2) A member of the Haines Borough assembly;~~
 - ~~_____ (3) A representative from the heliskiing industry selected randomly by current Haines Borough commercial ski tour permit holders; and~~
 - ~~_____ (4) Two members chosen randomly from Haines Borough residents who petition to be members of the committee. The manager shall solicit applications by posting notice no less than 10 days.~~
 - d. The committee shall organize itself as to procedure.
 - e. The committee shall ~~to every extent possible involve~~ **consult with** ADFG area wildlife biologists and Bureau of Land Management (BLM) in its deliberations, ~~including forwarding all proposals for map changes to the ADFG and BLM, seeking ADFG and BLM testimony, and requesting comments from ADFG and BLM on all draft recommendations before they are sent to the manager.~~

- f. The committee shall make a any recommendations to the **Assembly through the Clerk's office.** ~~manager on or before September 30th. The manager shall prepare a recommendation for the assembly and will not be bound by the committee's recommendations. However, the manager shall also provide the committee recommendations to the assembly for consideration.~~
- g. ~~For a proposal correctly submitted in accordance with the current map review policy, t~~ The borough assembly may **adopt amendments to the Haines Borough Approved Commercial Heliski Tour Areas Map by** ~~adopt a resolution~~ **by November 1 of the calendar year.** ~~to provide for adjustments to the map amendment timeline to accommodate for reasonable date or schedule conflicts.~~

~~2. The Haines Borough assembly shall adopt a resolution, following a public hearing, to finalize any non-temporary amendments of the Haines Borough Approved Commercial Ski Tour Areas map.~~

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS ___th DAY OF _____, 2020.

ATTEST:

Janice Hill, Mayor

Alekkha Fullerton, Borough Clerk

Date of Introduction:
Date of First Hearing:
Date of Second Hearing:

To: Haines Borough Assembly

Fr: Debra Schnabel, Manager

Timeframe: March 24 – April 8, 2020

Meeting Packet: April 14, 2020

Departmental Reports:

General Administration/Assembly:

Heli-Ski Map Committee. Next meeting scheduled 4/27/20.

Bear Task Force. The meeting scheduled April 8 has been postponed. The group is close to having recommendations.

Outstanding Grant Requests. None

Legal Undertakings. None

COVID-19 Response. The Borough's Response to the COVID-19 is being reported separately as an EOC-IC Report to the Assembly.

Personnel Status

Working on Job Site: 36

Working reduced hours on Job Site: 3

Telecommuting (mostly): 8

Laid Off: 9

On Leave: 2

Finance. The FY21 Manager's budget was submitted April 1. A substitute Manager's Budget will be posted on the website as a Supplemental Document. On April 7 at 2 pm we were informed of the Governor's Veto of the Legislature's Budget. The impact of this information effectively negates the Manager's draft and substitute budgets, and is analyzed in detail in the transmission letter.

Water & Sewer.

Public Works. It is snowing again.

Public Facilities.

Biomass. On hold.

Public Safety Building. Closed to the Public. Dispatch, Police, EMT/Fire staff working. Assembly Chambers available for telephonic communications and gathering of < 10 persons.

Chilkat Center for the Arts. Closed to the Public.

Museum Building. Closed to the public.

Pool. Closed. We are still on schedule for repair of the pool in May providing COVID-19 travel restrictions are lifted.

Library. Closed to the public. Serving as the Emergency Operations Center.

Mosquito Lake Community Center. Closed.

AC Pipe Replacement Small Tracts/Mud Bay/Third Avenue. Ready for Advertisement. On hold to assess the construction season.

Ports & Harbors

Lutak Dock/RO-RO.

MANAGER'S REPORT TO THE ASSEMBLY

Portage Cove Sport Boat Launch Project.

Letnikof Facility. Floats will be installed at the earliest safe tide.

Harbor Fuel Tanks. Design complete. Assembling bid documents. Advertisement is on hold while we assess the construction season.

CYD/Parks & Recreation. All parks are closed to gatherings.

Planning. The Planning Commission did not support contracting for review and update of the Comprehensive Plan Action Summary. We have two applicants for the position of Planner – both local. I will be interviewing for the position within the next two weeks.

Tourism.

Police and Dispatch. An Interview panel composed of representatives of Dispatch, EMT/Fire, Police and Administration recommends hiring Maxwell Jusi to the position of Police Officer 1.

Fire & EMS. Department functioning healthily and steadily.

COVID-19 INCIDENT: REPORT 4.14 Debra Schnabel

Haines continues to have no known cases of active COVID-1.

FOCUS

The Objectives of the Haines Emergency Operations Command relative to this incident are:

- Contain the spread of the virus by implementing statewide containment and community mitigation strategies, and enforcing State of Alaska Health Mandates
- Ensure the safety of community members
- Support local emergency response operations through the coordination of information, situational reporting and resource requests
- Support SEARHC in implementation of Alaska Department of Health and Social Services and Alaska Medical Countermeasures and Management Plan
- Keep the public, stakeholders and the media informed of operational activities and address rumors or incorrect information in a timely manner
- Implement the Alaska State Governor's health mandates Provide mental health support for quarantined
- Contain the spread of the virus by implementing non-pharmaceutical interventions and community mitigation actions.
- Support the economic recovery of businesses impacted by the C19 mitigation measures

The Haines Emergency Operations Command (EOC) has met Monday through Friday at 9 am since March 9 at the Emergency Operations Center at the Haines Public Library since March 9. The EOC receives daily briefings from SEARHC (both medical and behavior), the Fire Dept., the Police Department, the School District, community nonprofits and service organizations when topically relevant. The goal of these meetings is to keep the EOC informed of changes or issues front line responders are facing and supports them in completing their individual missions. Each EOC Section reports in on ongoing activities. The work of the EOC is being managed through Incident Action Plan, a software program that helps to ensure the work of the EOC is adequately captured and documented to assist in reimbursement and keeps us NIMS (National Incident Management Systems) compliant.

COMPOSITION

Since the last EOC Report March 24, certain EOC Personnel have been reassigned: Alekka Fullerton is the Public Information Officer, Deputy is Margaret Friedenauer. The Liaison Officer is Mayor Jan Hill. Deputy Operations Chief: Darwin Feakes

An Economic Team comprised of representatives of the First National Bank of Alaska, Haines Chamber of Commerce and Haines Economic Development Corporation.

COVID-19 INCIDENT COMMAND: MEETING OBJECTIVES

HAINES BOROUGH EOC – IC REPORT TO ASSEMBLY

EOC is enforcing State of Alaska Health Mandates. Issue of Mandate 12 on March 28 contradicts Haines Borough Assembly Resolution 20-03-854 requiring quarantine of all travelers entering the Borough regardless of origin. State Health Mandate 12 supersedes local authority. This condition is the subject of local debate among municipalities, their counsel and enforcement officers. The Administration appealed to the Governor's office to be named a Small Community under Mandate 12 Attachment B. to allow local control. The correspondence is attached. This topic is the subject of the Assembly's Agenda Item 11.A. B. Ordinance 20-03-565.

COVID-19 INCIDENT COMMAND: PUBLIC INFORMATION (PI)

Borough's Website and Haines EOC Information Facebook Page: daily updates on State Mandates, local directives and general information re: local response

Virtual Town Hall Meetings streamed on KHNS: Report and Call-in Q&A format, 3/31 and 4/6

Posters: posted at all ports of entry, Post Office, around town, describing Mandates, directives

US Mail Bulk Mailing: Postcard describing shelter-in-place, quarantine and isolation

Chilkat Valley News: Purchased Insert for each newspaper

KHNS: Regular PSAs and Mayor's Reports.

COVID-19 INCIDENT COMMAND: OPERATIONS

Successfully installed a temporary off-clinic testing tent at SEARHC Clinic.

Installed a temporary morgue.

Added an Economic Recovery Section to coordinate and assist implementation of the Economic Stabilization and Recovery Act.

COVID-19 INCIDENT COMMAND: LOGISTICS

Developed Recommendation for Food Security issues, report attached.

COVID-19 INCIDENT COMMAND: PLANNING

Data-inputting Incident Action Plan software to develop a strong database and ensure seamless and dependable Emergency Management practices for emerging incidents.

COVID-19 INCIDENT COMMAND: FINANCE

Expenditures to date authorized by Ordinance 20-03-564:

Fund 20 Emergency Appropriations:	\$88,730.00
Transfer to CIP, purchase of Decontamination Unit:	(58,730.00)
Expenditures	<u>(12,419.38)</u>
Balance, Fund 20 Emergency Appropriation	\$17,580.62

Additional Expenditures, FY20 01 Operating Fund:	\$4,500.00
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Morgue Trailer, IAP Software

Additional Expenditure, FY20 CIP:	\$8,715.96
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Water Heater, Fire Hall



HAINES BOROUGH, ALASKA
P.O. BOX 1209, HAINES, ALASKA 99827
Administration 907.766.6400 ♦ (fax) 907.766.2716
Tourism 907.766.6418 ♦ (fax) 907.766.3155
Police Dept. 907.766.6430 ♦ (fax) 907.766.2128
Harbor 907.766.6450

April 3, 2020

To: Bill Thomas, Special Assistant to the Governor
Ben Stevens, Chief of Staff
Office of the Governor, Alaska

Fr: Debra Schnabel, Haines EOC IC 

The Haines Borough would qualify as a Small Community under Attachment B of Health Mandate 12 except that we are on a road system. The Haines Borough is a Home Rule Borough and generally enjoys the autonomy of governing ourselves. We would benefit from a waiver from Attachment B or formal recognition as a small community. This recognition will give our local Assembly the ability to further restrict incoming travelers' movements in our community.

On March 24, prior to Mandate #12, the Haines Borough Assembly adopted Resolution 20-03-854 requiring that people traveling into the Haines Borough quarantine. Mandate #12 includes language that supersedes local authority except those exempted by Attachment B. Haines is not exempted because it is on the road system. The Haines Highway has 40 miles in US jurisdiction, and hundreds through Canadian wilderness to the Alaskan cities of Fairbanks and Anchorage, the only communities that could be our source of supplies and medical services, 750 and 850 miles distant. Effectively, this road system is not a measureable benefit to us in a health emergency.

Haines Borough has three portals: AMHS, an airport and the Haines Highway. The community is highly motivated to reduce any impacts that COVID-19 will have on Haines. We have a small clinic with 2 ICU beds. The Assembly would appreciate being authorized to enact measures that might restrict incoming travelers in order to control or stop the spread of the virus in our community.

As of today, Haines has no known active cases of COVID-19. We would like to keep it that way.

Please forward this information as appropriate. Thank you.



Memo

Date: 4/6/20
To: Debra Schnabel
Haines Borough Assembly
From: Carolann Wooton, EOC Deputy Commander

Debra,

The EOC is addressing the need for food security in the event of an interruption in barge service due to Covid 19. A Food Security Task Force, comprised of individuals who provide food services to the community was formed. This memo seeks to provide you and the Assembly with the information to help make a decision on how best to meet the potential need to feed members of the Haines Community in this crisis, and any future disaster or crisis. We believe this provides a baseline that can be expanded or contracted depending on the need.

Background: Roy Getchell, Haines School Superintendent, states that almost 54% of children attending our school qualify for free or reduced lunch through the USDA. Since the closure of the schools due to Covid 19, the school has continued to provide lunches to the children of the community. Initially this began as feeding approximately 100 children in the school and has since expanded to serving 200 children throughout the valley on a daily basis. This was in response to increased need and a relaxing of USDA restrictions during this crisis.

Captain Kevin Woods of the Salvation Army regularly offers food boxes to assist the food insecure in Haines. The box provides simple basics such as peanut butter, crackers, ramen, etc and is enough to feed a family of four for up to 3 days. On average the Salvation Army provides around 30 boxes a month. So far this month they have provided 65 boxes to families in need in Haines in the past three weeks.

The Taskforce did reach out to CIA, who provides a USDA food allotment to members of the community, but they did not participate in any of the planning meetings. The Haines Senior Center is also consistently serves 170 meals a week. The last US Census determined the LMI (low moderate income) in Haines to be around 35% of the community. Based upon this figure and the number of people our three community food programs are assisting, the Task Force estimates that in times of crisis nearly 50% of the community may need assistance with food. For a community population of 2400, this means close to 1200 people a day.

Option #1: Purchase MRE (Meals Ready to Eat) 30,000 meals. This is the simplest idea from the perspective of storage and space. The MRE's have a shelf life of up to 10 years.

XMRE Blueline (800-1200 calories) 2,496 cases= \$247,104.00 @8.24 per meal
XMRE Lite (600-900 calories) 2,520 cases =\$199,080.00 @6.58 per meal

Option #2: 45,000 locally prepared and sourced meals.

The Haines School is equipped to provide meals for mass numbers and can offer assistance in feeding. We can more effectively feed a larger number of residents with a simple menu of purchased dry goods such as beans, rice, canned fruit, milk, and locally purchased fish.

Haines Packing says they always have fish in stock, up to 40 or 50,000 pounds in the freezer. The only unknown will be if prices will fluctuate during the summer. While they also offer canned salmon, Harry suggested the frozen filets for this plan and the cost is actually cheaper. **Haines Packing is offering frozen salmon filets for \$3.25 per lb.

Brown Rice (25# bag)	180 bags x \$43.30 ea	= \$7,794
White Beans (25#bag)	180 bags x \$38.94 ea	= \$7,009.20
Sliced peaches	165 cases x \$67.36 ea	= \$11,114.40
Sliced pears	165 cases x \$61.09 ea	= \$10,079.85
UHT Milk	500 cases x \$30.79 ea	= <u>\$15,395</u>
	subtotal	\$51,392.45
45,000 servings of salmon	x 1.62 per	= <u>\$73,125</u> (number rounded up)
	Grand Total	\$124,517.45

Labor: According to Lisa Flory, HBSD Food Program Coordinator, the labor to produce either option #2 or #3 would require three full time employees working 8 hours a day, 7 days a week. The current cost to the HBSD is \$67.54 per hour for all three employees. Labor costs break down to approximately .36 per meal.

Recommendation: The EOC recommends the purchase of the dry goods immediately to ensure the food is in place should our supply chain be interrupted. The dried goods could be stored until needed, even for a future event if they are packaged for long term storage. According to Ed Coffland, there is space under the pool to accommodate storing food for future use.

Who will we serve? The determination of who qualifies for this food is trickier. In a disaster, determining the needs of an individual is difficult and often relies heavily on the honor system. For the sake of this scenario, the Task Force recommends the following priority for meals:

- a. Children 18 years and younger
- b. Seniors or elders
- c. Sick or disabled individuals

In addition, the EOC recommends the Assembly consider granting funds to the Salvation Army to purchase food boxes. Cpt. Woods has provided 65 boxes so far in the last three weeks, a typical box costs approximately \$135 and will feed a family of four for up to three days. An itemized sample of a box is attached to this memo. The amount of assistance is at the discretion of the Assembly, but we recommend this assistance be for a finite amount of time during this Covid 19 crisis.

Signed the EOC Food Security Taskforce:

Captain Kevin Woods, Salvation Army
Roy Getchell, Haines Superintendent of School
Margaret Friedenauer, HEDC
Aleka Fullerton, EOC Public Information Officer
Jan Hill, EOC Liaison Officer
Ed Coffland, EOC Logistics Section Chief

Harry Rietz, Haines Packing Company
Lisa Flory, HBSD Food Program Coordinator
Carolann Wooton, EOC Deputy Commander

Haines Borough Estimated Emergency Food Box

Approximately four days for a family of 4

	Per Item	Total cost
4 - Top Roman	- \$ 0.50	\$ 2.00
4 - Meal in a can/soup	- \$ 3.30	\$ 13.20
4 - Small Soups	- \$ 1.60	\$ 6.40
2 - Tuna	- \$ 1.70	\$ 3.40
2 - Meat product	- \$ 10.00	\$ 20.00
1 - Jelly	- \$ 4.00	\$ 4.00
1 - Peanut butter	- \$ 6.00	\$ 6.00
4 - Mixed vegetable	- \$ 1.75	\$ 7.00
4 - Fruit	- \$ 2.30	\$ 9.20
1 - Rice	- \$ 3.40	\$ 3.40
1 - Dried beans	- \$ 2.00	\$ 2.00
2 - Canned beans	- \$ 2.00	\$ 4.00
2 - Pasta	- \$ 2.50	\$ 5.00
2 - Pasta Sauce/tomato product	- \$ 2.50	\$ 5.00
1 - Potato product	- \$ 2.60	\$ 2.60
2 - Mac and Cheese	- \$ 2.50	\$ 5.00
1 - Cereal	- \$ 6.00	\$ 6.00
1 - Oatmeal	- \$ 4.50	\$ 4.50
1 - Milk product	- \$ 4.00	\$ 4.00
1 - Baking Mix (just add water)	- \$ 4.00	\$ 4.00
1 - Pilot bread	- \$ 9.25	\$ 9.25
4 - Misc items	- \$ 10.00	\$ 10.00

Approximately

\$ 135.95



Manager's Memo

Debra Schnabel

dschnabel@haines.ak.us

(907) 766-6404

April 8, 2020

To: Haines Borough Assembly

Re: Manager's FY21 Budget and Capital Improvements Program (CIP)

As provided by Section 9.01 (B) of the Haines Borough Charter, I am presenting proposed operating and capital budgets for FY21 (July 1, 2020 – June 30, 2021).

Code directs this presentation to include a written explanation of the budget and CIP focusing on the work to be done and the financial policies that will direct the funding of that work. This memo addresses these topics and others.

The Budget Proposal in Context

This budget was drafted during a time of unprecedented upheaval to normal processes caused by

- (1) the decline of the world market price of oil, and consequently, state revenues,
- (2) the coronavirus pandemic's impact on the local economy and consequently, our local revenue projections, and
- (3) the lack of timely and reliable information re: the State's administration of federal funds released to support State's response to the coronavirus pandemic.

Six hours prior to drafting this transmission letter, Governor Mike Dunleavy vetoed state funding of the School Debt Reimbursement Program and Community Assistance. The transmitted budget relies on both these income sources projected at \$448,149 and \$375,381 respectively. Obviously, the budget needs revision, and I am prepared to work with the Assembly to create a budget that offers stability and service in stressful times.

We can take guidance from the Governor; his press release issued April 7 identifies the course the state will take:

"We have been presented the unique opportunity to capitalize on a one-time fund source through the Federal Coronavirus Aid, Relief, and Economic Security (CARES) Act, allowing us to reshape pieces of the final FY 2021 budget. Now, as we face a drop in oil prices and face a global health pandemic, is not the time to irresponsibly increase our State's budget."

Every community in Alaska is faced with the challenge of creating a budget without the security of knowing how the State will administer the CARES Act. Alaska does not meet the criteria for direct access to federal funds, so municipalities must work through the state administration. In addition to any local effort we could make, The Alaska Municipal League (AML) is committed to working on behalf of all municipalities to follow up on Governor Dunleavy's stated commitment to replace vetoed state funds through the stimulus funding provided by the federal government and to identify how to fairly distribute these funds to Alaska's cities and boroughs. I anticipate that much of our information and our advocacy will be integrated through AML.

Proposed Plan of Action for Budget Development

I understand that we must be cautious and conservative even as we remain hopeful. I expect the Assembly and the administration work together effectively to determine what aspects of the proposed budget should be reconsidered to create a budget that serves our community for the short-term and offers flexibility for responding to changes that we do not control. By that I mean that we do not want to cut so much that we cannot rebuild. We must maintain a long-term view for community development.

With that hope, I have presented a stark working budget. Its presentation does not celebrate what we do; I have not asked the Department Directors to share goals and objectives or outline the work that we have forecast for the year. The budget describes a basic minimum level of service.

Staff has proposed a meeting schedule for addressing budget issues. I hope to review the budget with the Finance Committee prior to its introduction on April 28. Work will continue through April and May to incorporate information and analyze our options as they develop.

Manager's Substitute Budget variations from Draft budget submitted April 1

(1) Payroll.

a. The payroll presented in the Substitute budget incorporates all negotiated terms addressed in the Collective Bargaining Agreement approved by the Assembly for FY21, as though Community Assistance and the School Debt Reimbursement were funded. As of April 7, these revenue sources were eliminated by the Governor's veto. This legally activates a reduction in the increase of step 1 from 1.25% to .5%. This has not been addressed in the Substitute budget, but the Governor has indicated that these funds will be supplanted by the CARES Act.

b. In an effort to reduce the payroll costs in FY21 without sacrificing level of service, all employees were asked to accept a one-week furlough. This effectively means one week of no work and no pay. The salaried non-unit positions (Manager, Clerk, Police Chief, Public Facilities Director, Contracts and Grants Administrator and Assessor) have all agreed to a 5-day furlough. Public Employees Local 71 will hold an election to determine its agreement to the proposal; results will be known April 13. Collectively, if accepted as presented, the furlough saves approximately \$80,000.

- c. The Payroll costs in Substitute Budget are \$18,361 less than the April 1 Draft proposal which did not assume step increases as provided by the CBA.
- d. The Public Facilities Director position has been reduced by 20%.
- e. The Contracts and Grants Administrator position has been redefined to assume some personnel responsibilities currently held by the manager.
- f. One-half of one Administrative Assistant position will be cut December 31. One Administrative Assistant position is proposed for a promotion to Assessor-in-Training.
- g. The Planner position has been converted to hourly, and hours reduced.

(2) Mosquito Lake Community Center

The substitute budget does not provide for continuing operation of the Mosquito Lake facility for the reason that the building and its systems are too costly to maintain areawide. Our MOU with the Friends of Mosquito Lake School and Community Center (FMLSCC) ends January 31, 2021, but may be terminated by either party with 30 days' notice. The Assembly may choose to amend the facilities budget if it does not terminate or choose to allow for basic service through 1/31/21 or beyond.

The Administration could support efforts of the FMLSCC to conduct an election to create a service area to support the operation and maintenance of an Upper Valley Community Center.

Effort was made to support an alternative facility to "enhance the health and well-being" of the upper valley community. The New Hope Fellowship Church welcomes the community's use of its facility, but will not agree to public financial support for that purpose. Another borough-owned alternative could be General Fund support to the Klehini Valley Fire Department for improvements to that building.

(3) Emergency Response outside of the Townsite

In November 2019 the Assembly adopted Resolution 19-11-835S. It calls for an election in October 2020 to determine whether General Sales Tax revenue may be used to pay for emergency police response. Primarily to illustrate the impact on the FY21 budget, I have provided for a transfer of \$54,000 from General Fund 01 to Fund 02.

Work to be done in FY21

This budget proposal supports continuing all borough programs with the exception of direct support to Community Youth Development, which I am working with the School Board through the Superintendent to be absorbed by the District.

This budget advances the proposition that the programs and services we have purposefully built and improved upon over decades are important and reducing those services is a decision to be made by the community. Our January planning sessions certainly emphasized that we

must “do things differently” yet we were uncertain what that meant, as most of what the borough does is recognized as essential to who we are. Yet, our infrastructure is old, perhaps beyond reason to maintain, and decisions must be made whether to improve, replace, or remove from inventory. A table describing the conditions and needs of our public facilities is attached to this budget.

The coronavirus pandemic has brought home to all of us that we are a community, and the quality of life that we have built for ourselves is important to our well-being. The budget proposal ramps up essential services. As we contract economically, it is still important to provide for our citizens a quality of life that keeps us healthy and here, as there may be nowhere else to go. For this reason, the budget proposes to retain programs and services that uphold our engagement and pride. This budget proposes that streets be improved, buildings be maintained, and programs including the library, the pool and the museum will be advanced, though modified to fit our budget. The cost savings that have been proposed in this document include:

- Furlough all employees one week
- Reduced hours for Public Facilities, Planner, Planning Tech, Museum Accountant
- Freeze all travel except Mayor’s (use AA miles, budget per diem and accommodations)
- Pool closure 3 months
- Modified Library circulation system
- Reduced Code Publishing costs
- Cut contribution to Southeast Alaska State Fair
- Cut HEDC 20%
- Transfer Community Youth Development Program to District
- Close Mosquito Lake Community Center

Financial Policies directing the funding of our work: Refer to the introductory remarks under The Budget Proposal in Context. Since April 7, the CARES Act provides hope and expectations that some of our expenses will be supported by federal funds. The assumptions that have been made for meeting the needs of this budget include:

- a 40% drop in sales tax revenue this year
- Appropriate to draw down fund balances
 - Actual FY20 Fund Balances are expected to be higher than budgeted
 - Immediate Sales tax decline is real, but remote sellers sales tax and 2021 cruise season projected to improve
- Assuming no Commercial Passenger Vessel Income

- Maintaining a mill rate consistent with FY20 except for service areas that assess a higher rate
- Unavoidable or Essential Increases to Expenditures
 - Insurance
 - IT Security Software licensing
 - Dispatch e911 system subscription
 - Vehicle Maintenance for Ambulance
 - Demand for EMT/Medical personnel

Note on Capital Improvements Budget (CIP): Due to the projected drop in Sales Tax Revenue, the Capital Budget is significantly less than we have enjoyed in prior years. It has been the administration's intent over the past two budget cycles and the FY21 budget to direct real capital projects toward our capital budget. Though I have proposed \$75,000 in deferred maintenance in the CIP, the remaining costs are real capital improvements including the notable use of CIP funds for debt retirement. The FY22-26 CIP budgets will be adjusted to reflect this philosophy.

I thank you for the opportunity to bring this Substitute Budget forward (published under separate cover as a Supplemental Document). It is my sincere hope that we can work together as a team to create a budget that serves our needs, has the flexibility to respond to challenges and retains a stable base on which we can continue to grow our future.

I appreciate being able to work with you, the staff and the community throughout April until June 15, the date required by Charter for adoption.

Haines Borough Facilities Condition, April 2020

Borough Facilities	Year Built	Significant Improvements Accomplished	Outstanding Facility Needs	Estimated Cost	Area (SF)	Annual Operating Cost
Haines School		2008/09: Renovations to ceilings, lighting, floor coverings, lavatories, gym lighting, and gym walls. Included mechanical systems upgrading (heating, ventilation, and plumbing) and asbestos removed; air handling fans replaced; intercom connection between the high school, vocational education building & gym; improved drainage and snow storage in the north fire lane. \$18M cost	<ol style="list-style-type: none"> 1. Renovate High School locker rooms. 2. Replace the school roof. 	\$1,800,000		Electricity; \$116,355 Heating Fuel; \$93,383; Includes vocational education
Haines Pool	1982	<p>2008-2009: Replaced drains and piping, installed stainless steel balance tank, rebuilt recirculation system, replaced exterior doors, installed a new filter system for the pool.</p> <p>2019 Replaced pool liner, pool deck, drainage system, chemical feed systems, refurbished men's and women's locker rooms, installed sauna.</p>	<ol style="list-style-type: none"> 1. Replace acid feeder with sodium bisulfate feeder. 2. Repair office sheetrock and repaint. 3. Organize under pool area and re-paint floor. 4. Install new PVC flooring in the office and on the mezzanine. 5. Repair or replace the HVAC system and controls. 6. Replace condensation damaged sheetrock. 	\$1,025,000		Electricity; \$25,145 Heating Fuel; \$20,177 Maintenance; \$9,057 Insurance; \$5,676 Work Orders; \$30,160 Prof Services; \$1,270
Haines Vocational Education	1982	<p>2011: ADA compliant entries and lavatories (\$200,000, funded by DEED)</p> <p>2012: interior finish, window & ADA upgrades, partial re-siding</p> <p>Upgrade heating plant, heating piping, ventilation systems, exhaust systems, compressed air system, plumbing systems, sprinkler work, control systems.</p>	<ol style="list-style-type: none"> 1. There are no significant needs. 		5,000	Included in school cost above

Haines Borough Facilities Condition, April 2020

Borough Facilities	Year Built	Significant Improvements Accomplished	Outstanding Facility Needs	Estimated Cost	Area (SF)	Annual Operating Cost
Mosquito Lake Community Center	1982	1982 (renovated heating system and installed a new fuel tank, 2010)	<ol style="list-style-type: none"> 1. Install the master key system. 2. Repair sewer system. 3. Replace non-working LED lights. 4. Finish installing the heating system. 5. Repair damaged porch enclosures. 6. Install fuel tank pad. 7. Replace rotted windows. 8. Remove non-working mechanical systems from the shop. 9. Repair shop heating system. 10. Repair and paint shop interior. 	\$30,000	5,374	Electricity; \$9,757 Heating Fuel; \$6,225 Maintenance; \$32,771 Insurance; \$3,874 Phone, Alarm; \$1,936
Admin Building	1980	2004: Renovated and converted to borough administrative offices. 2011: New carpeting, front door, the ventilation system in the conference room, modify & replace the roof	<ol style="list-style-type: none"> 1. Install the master key system. 2. Replace doors and hardware. 3. Install LED lights in the north parking lot. 4. Repaint exterior. 5. Replace all T8 lights with LED lights. 6. Repair damaged ADA ramp. 7. Repair damaged sheetrock in finance office. 	\$15,000	3,552	Electricity; \$6,771 Heating Fuel; \$3,665
Public Safety Building	1974 (ish)	1995: Fire Hall Extension 2010: Assembly Chambers refurbished. 2020: There are many operational and code deficiencies related to dispatch, police, jail, morgue, and the firehouse in the existing building.	<ol style="list-style-type: none"> 1. Install new apparatus bay doors. 2. Remove and replace the apparatus bay concrete floor. 3. Remove and remediate the underground fuel tank. 4. Install a new above-ground fuel tank. 5. Replace damaged ADA ramp. 6. Install ADA accessible restroom. 7. Upgrade morgue. 8. Repair and replace rotted sheathing and framing. 9. Install crawlspace sump pumps. 10. Install new Fire hall windows. 11. Install metal siding and trim. 12. Repair wiring. 13. Upgrade the electrical service and distribution panels. 14. Install new LED exterior lights. 15. Replace the E911 system. 16. Replace copper water piping. 	Repair; \$2,000,000 Replace; \$15,000,000		Electricity; \$19,851 Heating Fuel; \$11,801
Klehini Valley Fire Dept.	1979	2010: Re-sheathed	<ol style="list-style-type: none"> 1. Install a master key system. 2. Install a new pellet stove in the fire hall. 3. Install LED lights above bay doors, 	\$20,000		Electricity; \$0 Heating Fuel; \$0

Haines Borough Facilities Condition, April 2020

Borough Facilities	Year Built	Significant Improvements Accomplished	Outstanding Facility Needs	Estimated Cost	Area (SF)	Annual Operating Cost
Visitor Center Toilets	1983 1994	2010: Replaced floor joists and flooring	<ol style="list-style-type: none"> 1. Install the master key system. 2. Repair/replace rotten logs and rim joists. 3. Install a new restroom roof. 4. Replace damaged toilets. 5. Landscape picnic area. 6. Plant trees. 	\$35,000		Utilities; \$15,720 Maintenance; \$1,026 Insurance; \$1,880 Work Orders; \$2,135 Prof Services; \$18,251
Public Library	2003		<ol style="list-style-type: none"> 1. Install the master key system. 2. Remove recessed light fixtures and replace them with LED fixtures. 3. Repair and replace damaged siding. 4. Install a new front door. 	\$25,000	8,130	Utilities; \$36,433 Maintenance; \$2,495 Insurance; \$7,410 Work Orders; \$8,746 Prof Services; 5,703
Sheldon Museum	1979		<ol style="list-style-type: none"> 1. Install the master key system. 2. Finish replacing cement board siding with cedar. 3. Install exterior LED lights. 4. Install interior LED lights. 5. Install a new entry door and windows. 6. Rebuild exterior ADA ramp. 7. HVAC system. 8. ADA upgrades listed in the Sail report. 	\$2,000,000	6,837	Utilities; \$10,865 Maintenance; \$3,360 Insurance; \$7,612 Work Orders; \$7,529 Prof Services; \$3,467
Chilkat Center for the Performing Arts	The 1880s	<p>1980: Partial renovation focusing on roof upgrade and remodel of the interior to accommodate radio station offices.</p> <p>The original building hauled from Pyramid Harbor in 1926, on the historic register.</p>	<ol style="list-style-type: none"> 1. Implement recommendations from the 2008 PND report. 2. Implement SAIL ADA accessibility recommendation. 3. Install the master key system. 4. Install new LED lights in KHNS. 5. Test smoke hatch and repair. 6. Paint exterior. 7. Replace damaged heat registers. 8. Replace air handler and controls 	<p>Repair: \$5,800,000</p> <p>Replace: \$15,900,000</p>	9,766	Electricity; \$6,566 Heating Fuel; \$37,742 Maintenance; \$11,787 Insurance; \$9,475 Work Orders; \$23,196 Prof Services; 21,128
Human Resource Building	1905	<p>1905 - one of the oldest building in Haines, on the historic register</p> <p>Renovations in 1955, 1976, and 1980. In 1980-heat system overhaul</p>	<ol style="list-style-type: none"> 1. New Roof 2. Replace ACM siding 3. Replace boiler & masonry chimney 4. replace & trim windows 5. Replace light fixtures 5. Replace plumbing 	\$300,000		Electricity; \$0 Heating Fuel; \$0

Haines Borough Facilities Condition, April 2020

Borough Facilities	Year Built	Significant Improvements Accomplished	Outstanding Facility Needs	Estimated Cost	Area (SF)	Annual Operating Cost
			<ul style="list-style-type: none"> 6. Replace batt insulation in crawl space and attic, add a vapor barrier 7. Replace flooring. 8. Repair sheetrock & paint 9. Replace all domestic piping 			
Haines Senior Center/Preschool	1983	2011: Replace heating system, install grease trap/interceptor, accessible exterior cleanout for wastewater system installed, and roof repair & marquee roof system replaced.	<ul style="list-style-type: none"> 1. Install the master key system. 2. Repair damaged sheetrock and repaint. 3. Repair damaged plastic siding. 4. Install dishwasher hood vent. 5. Repair and redirect sewer plumbing to a new outfall. 6. Install preschool emergency lighting. 7. Repair preschool cabinet kickboards. 	\$15,000		Electricity; \$2,848 Heating Fuel; \$4,769 Utilities; \$4,318 Maintenance; \$13,521 Insurance; \$2,211 Professional Service; \$1,704
Lily Lake Water Treatment Plant	1973	2009 New Pneumatic Backwash Control Valves. 2010 New Control Panel and Electrical Upgrade. 2011 New Generator and Transfer Switch. *No toilet facility. 2012 New filter media and filter bed plumbing. 2012 New roof and purlins on the Main building. 2015 Wood Pellet Stove Installed 2017 New Siding on secondary building 2017 New Doors and Locks 2019 New Toyotomi Laser 73 Heating Stove	<ul style="list-style-type: none"> 1. Install new metal roof on secondary structure \$20k 2. Replace Water Plant Piping and Isolation Valves *Still using original piping from 1973 \$150k 3. Upgrade Current Control Panel to SCADA \$10k 4. Fence the backwash settling pond \$5k 5. Install vault for shutoff valve outside the WTP \$2k 6. Install flow meters on individual filters to balance flows * Purchased 7. Upgrade Pressure reducing valves with electronic controlled solenoid pilot valves \$10k 8. Explore the possibility of using Lily Lake Transmission Line for Hydro Power 	\$197,000	1,980	Electricity; \$17,520 Heating Fuel; \$7,122
Piedad Water Treatment	The 1940s	2016 New Water Treatment Plant building and water treatment equipment 2016 New 6" HDPE water main from the Spring box	<ul style="list-style-type: none"> 1. Piedad Springs Expansion Project \$175k 2. Add a separate chlorine room to prevent the corrosion of treatment equipment and building 3. Design and install a backup generator \$25K 4. Replace UV light disinfection units \$15k* these units are deteriorating due to the chlorine gasses in the building 5. Add SCADA \$5k 	\$220,000		

Haines Borough Facilities Condition, April 2020

Borough Facilities	Year Built	Significant Improvements Accomplished	Outstanding Facility Needs	Estimated Cost	Area (SF)	Annual Operating Cost
Lily Lake Transmission Line	2010 2019	All new 10" HDPE line Reinstalled the upper end of the pipeline to match the 2010 design profile.				
Crystal Cathedral (Well, W&S)	The late 1990s	2018 New VFD 20HP well pump, pipe casing, and controls	1. Paint exterior. 2. Construct shed buildings over the wellheads \$5k 3. Replace Plumbing in the well-boxes 4. Backup Power for Wellfield WTP \$25k 5. Add SCADA \$5k	\$40,000		
Barnett St Pump house and a 140,000-gallon tank	2011	2011 New pump station and controls 2012 New Insulated Water Storage Tank	1. Install exterior LED light. 2. Replace mixer in water tank \$7k 3. Add SCADA to pumps station \$5k 4. Backup power at pump station \$25k	\$35,000		
Young Road Pump house and 320,000-gallon tank	2009	2009 New 320,000 gallon Insulated Water Storage Tank 2015 PAX Mixer Installed	1. Install exterior LED light. 2. Backup Power at pump house \$10k 3. Add SCADA \$5k	\$16,000		
Skyline Water Tank, 50,000 gallon	1999	Insulated in 2009	1. Design and install a backup generator. 2. Gate the access road \$1k	\$26,000		
FAA Water Tank, 630,000 gallons	2000		1. Battery Backup Power for Treated Water 2. Recorders/Analyzers \$5k 3. Upgrade Corrosion Control/Protection Equipment \$15k 4. Clean/Inspect Water Tank \$10k 5. Add SCADA \$5k	\$35,000		
Tower Road Water Tank, 320,000 gallon	1986	2017 New Water Tank PVC Roofing 2019 New PAX Mixer Installed	1. Replace Vent Screens on Tank \$1k	\$1,000		
Barnett Water Tank	2012	2012: Replace 100,000 with 500,000-gallon tank (original tank was from 1970)				
Wastewater Treatment	1975	2016 New Wastewater Treatment Plant Building, Electrical, and HVAC System	1. New metal siding on the shop.	\$1,600,000	8,075	Electricity; \$17,520 Heating Fuel; \$13,129

Haines Borough Facilities Condition, April 2020

Borough Facilities	Year Built	Significant Improvements Accomplished	Outstanding Facility Needs	Estimated Cost	Area (SF)	Annual Operating Cost
Plant, shop & office		2016 New Influent Pre-treatment Screens and Dewatering Units 2016 New 20hp Energy Efficient Blowers for aeration 2010 Rebuilt Clarifier 2018 New Roof on STP Office 2019 Lift Station Pump and Panel Upgrade * Project is awaiting check valve to complete the installation	2. Repair or purchase new sludge processing equipment \$150k-\$900k *In the process of obtaining a cost estimate of a complete rebuild of the current system 3. Upgrade electrical to 3-phase power for efficiency 4. Replace backup power generator 5. Replace lift station piping and valves in the wet well \$25k 6. Repaint clarifier with epoxy coating \$20k 7. New doors on STP office 8. New doors, siding, and roof on shop \$30k 9. Install new heat source in shop and office *consider installing Toyo stoves by Sewer Dept. \$5k 10. Install new septic receiving station \$10k * current tank cannot be cleaned out and is not accessible to RV's 11. Add SCADA \$5k 12. Consider a Sludge Composting System and Equipment \$30-50k * CWS has not been consistent in taking the sludge we are processing. In 2013 they stopped taking sludge for ten months.			
Beach Road Pump Station	The Mid-1970s	replaced sewer pumps and control panels in 1992	1. Replace pumps, piping, and control panel. 2. Design and install a backup generator. 3. Re-roof building 4. Add SCADA	\$575,000		
Skyline Lift Station			1. Rebuild Control Panel For Pumps \$50k 2. Add SCADA for high-level alarm \$5k	\$55,000		
One Mile Pump Station	The Mid-1970s	Replaced Pump and Panel 2019 *awaiting final pump to complete project	1. Install LED light on both sides of the building. 2. New metal roof. 3. New metal siding and trim. 4. Design and install a backup generator. 5. Add SCADA	\$90,000		
Portage Cove Small Boat Harbor Harbor-master Office & Restrooms	1977	2009: New electrical and water lines out floats & fingers; new pilings and new floats installed.	1. Construct drive-down work float and transfer bridge. 2. New harbor floats.	\$8,000,000		Electricity; \$42,134 Heating Fuel; \$0

Haines Borough Facilities Condition, April 2020

Borough Facilities	Year Built	Significant Improvements Accomplished	Outstanding Facility Needs	Estimated Cost	Area (SF)	Annual Operating Cost
Pt. Chilkoot Cruise Ship Dock Restrooms	The early 1900s Major upgrade 1993	2007: anodes installed 2011: trestle inspection 6" fuel pipelines decommissioned 2011: new public restrooms, expanded parking, pedestrian improvements, and other amenities for cruise ship passengers.	1. Repaint kiosk interior and exterior. 2. Lightering float. 3. SCADA for high-level alarm	\$5,000,000		Electricity; \$4,765 Heating Fuel; \$0
Letnikof Cv Floats, Launch Ramp	1980	2010: Construct a boarding float at the Letnikof Cove harbor boat ramp				
Lutak Dock Toilets	1953 The early 1990s		1. Rebuild dock according to R&M Consultants 2017 Report, Alternative 3B	\$25,000,000		Electricity; \$2,585 Heating Fuel; \$0
Swanson Harbor (Couverden)			1. Annual maintenance and cleaning.	\$2,000		
Lookout Park	1985	2011: Refurbish steam engine, repair concrete sidewalks & apron				
Tlingit Park/ Playground Toilets	the early 1990s	2007- playground 2010-2011: Replace gazebo, install a French-drain, replace plastic roofing, FRP on walls, paint, and install flooring. 2012: construct steps and south entrance, handicap path installed (part of sidewalk project)	1. ADA Improvements. 2. New pavilion.	\$140,000		
Oslund Park Ballfields/ Skateboard Facility/ Toilets	1960 2005					

Haines Borough Facilities Condition, April 2020

Borough Facilities	Year Built	Significant Improvements Accomplished	Outstanding Facility Needs	Estimated Cost	Area (SF)	Annual Operating Cost
Ft Seward Parade-ground Toilets	1985	2010-2011: Refurbished				
Facilities Maintenance Shop	The 1950s		<ol style="list-style-type: none"> 1. Insulate and sheath building interior. 2. Finish installing overhead doors. 3. Build parts storage. 4. Landscape the yard and plant trees. 	\$8,000		Electricity; \$1,356 Heating Fuel; \$3,708
Public Works Maintenance Shop	2008	2010: exterior lights outside bay doors installed, eyewash station, roll-up doors repaired, fuel station relocated	<ol style="list-style-type: none"> 1. Install the master key system. 2. Repair metal siding. 3. Replace overhead doors and repair framing. 4. Empty and dispose of containers. 	\$12,000	2400 enclosed, 3360 open	Electricity; \$4,086 Heating Fuel; \$10,658
Jones Point Cemetery		2011: Improved sprinkler system				
Crystal Cathedral Wellfield		Borough acquired the property in Dec 2010 through a warranty deed	<ol style="list-style-type: none"> 1. Evaluate water treatment options 	\$15,000		
Emerson Field	2010					
Tsirku River Snow Machine Bridge	2008	State owns, Borough maintains				
26-Mile Repeater Station	1985	Repeaters for Borough Fire/EMS and Homeland Security. 2012: New repeater radio, building replacement	<ol style="list-style-type: none"> 1. Install ADDCOM recommended equipment. 2. Connect to APT fiber optic cable. 	\$176,000		
Klehini River Bridge	The Late 1960s	2012-13: Rehabilitated by the State of Alaska and ownership transferred to the Borough	<ol style="list-style-type: none"> 1. Needs bridge inspection 	\$10,000		

Haines Borough Facilities Condition, April 2020

Borough Facilities	Year Built	Significant Improvements Accomplished	Outstanding Facility Needs	Estimated Cost	Area (SF)	Annual Operating Cost
Tanani Point Toilets	2009	State owns, Borough maintains	1. Install the master key system. 2. Remove rust and repaint the building.	\$5,000		

Debra Schnabel

From: thomas7@aptalaska.net
Sent: Tuesday, April 7, 2020 12:33 PM
To: Debra Schnabel; Paul Rogers
Subject: church

EXTERNAL EMAIL: Do not open links or attachments unless you recognize the sender and know the content is safe.

Debra,

I am acknowledging that you reached out to New Hope Fellowship, the church on Mosquito Lake Rd., to try to reach an agreement with us for the community out the road to be able to use our building in place of the old school building which they have been using. We are more than willing to open our doors to the community to use our building for different events, with our approval, but we are reluctant to inter into a contract with the borough as we are a church and feel like we need to keep our autonomy.

Thank you,
Sage Thomas



Memo from the Borough Clerk

8B

Date: April 9, 2020
To: Haines Borough Assembly
From: Alekka Fullerton
Re: 2020 Census

The 2020 Census is still happening! And it is more important than ever that Haines residents are counted since funding for public health, emergency response, education and economic development comes straight from our Census count.

Unfortunately, Haines did not receive our Census questionnaires before Census 2020 field operations were halted this year due to the COVID-19 pandemic. That means it will be even harder for Haines residents to be counted.

There are two ways to respond to the Census without our written questionnaires:

1. Respond online to 2020census.gov.

You do not need a "Census ID" – just click on the entry "If you do not have a Census ID, Click here" as shown below.

Follow the prompts and answer for everyone who was in your household on April 1, 2020.

2. A second way to respond to the 2020 Census is by telephone – **call 1-844-330-2020** and answer the prompts.

We need to get this message out! It doesn't take long to do and it's SO IMPORTANT!

In addition to answering the Census for your household, please remind relatives, neighbors, friends, colleagues to answer for their households too. Help spread the word!



Haines Senior Center

Caledar Year Revenues & Expenditures

	2017	2018	2019
Revenues			
Rental Income	<u>\$ 12,374</u>	<u>\$ 17,045</u>	<u>\$ 16,353</u>
Expenditures			
Utilities	14,051	13,173	11,935
Maintenance	25,695	24,654	13,521
Property Insurance	1,703	1,872	2,211
Professional Services	<u>849</u>	<u>1,679</u>	<u>1,704</u>
Total Expenditures	42,298	41,378	29,372
Revenue (under) Expenditures	\$ (29,925)	\$ (24,333)	\$ (13,018)



**Haines Borough
Planning Commission Meeting
February 13, 2020
MINUTES**

Approved

1. **CALL TO ORDER/PLEDGE TO THE FLAG:** - Chairman **Lapham** called the meeting to order at 6:30 p.m. in assembly chambers and led the pledge to the flag.
2. **ROLL CALL:** - **Present:** Chairmen Diana **Lapham**; Vice Chairman Zack **Ferrin**; Don **Turner Jr.**; Sylvia **Heinz**; Lee **Heinmiller**; and Jessica **Kayser Forster**.
Absent: Rob **Goldberg**

Staff Present: Tim **O'Melia**, Borough Planner; Debra **Schnabel**, Borough Manager; Ed **Coffland** Public Facilities Director

Others Present: Liz Cornejo; Tracy Harmon; Mike Mackowiak; Jessica Plachta; Richard Clement; Terry Pardee; and Brenda Josephson

3. **APPROVAL OF AGENDA:**

Motion: **Turner Jr.** moved to approve the agenda and consent agenda and the motion carried unanimously.

4. **APPROVAL OF MINUTES:**

The January 9, 2020 Minutes were approved as part of the approval of the consent agenda.

5. **PUBLIC COMMENTS:** Harmon

6. **Chair Report:** Lapham

7. **COMMISSION COMMENTS:** None

8. **CHAIRMAN'S REPORT:** Josephson reported that the child care and accessory use draft ordinances passed the assembly.

9. **STAFF REPORT:** O'Melia reported on the number of permits issued or started since January 9, 2020, and that he submitted his resignation effective 2/29/2020.

10. **PUBLIC HEARINGS:**

- A. **Constantine Mining Heliport Conditional Use Permit #19-105** – Liz Cornejo on behalf of Constantine mine requests approval for the operation of a private heliport in conjunction with resource extraction

Public Comments: **Mackowiak, Plachta, Clement, Schnabel, and Pardee**

Motion: **Ferrin** moved to "approve Heliport CUP #19-105" and the motion carried unanimously

11. **UNFINISHED BUSINESS:**

- A. **Approval of Findings of Fact** – Atkins Variance Application #19-94 – Approval of Findings of Fact.

Motion: Ferrin moved to “approve the Findings of Fact for Atkins request for a setback variance” and the motion carried unanimously.

- B. Information on maintenance of non-borough roads** – Information on maintenance of roads not owned by the Borough requested by planning commission.

12. NEW BUSINESS:

- A. Historic District/Building Review:**

- B. Haines Borough Code Amendments:**

- 1. Draft Ordinance Public Notice** - Update the definition of public notice to be more general and then provide for specific permit public notice requirements in 18.30.020

Motion: Lapham moved to “recommend the Assembly adopt the draft ordinance” and the motion carried unanimously.

- C. Project Updates:**

- D. Other New Business:**

13. COMMISSION COMMENTS: Heinz, Lapham, Heinmiller, Ferrin, and Turner Jr.

14. CORRESPONDENCE: None

15. SET MEETING DATES:

- A. Regular Meeting:** – Thursday, March 12, 2019 6:30 p.m. at Assembly Chambers.

- B. Workshops:** - Heliport Approval Criteria/Conditional Use Criteria for the General Use Zone – March 19, 2020 6:30 p.m. at Assembly Chambers.

16. ADJURNMENT: 7:48 p.m.



PO Box 1734 · Haines, AK 99827 · Phone: 907-766-3130
 E-Mail: director@hainesedc.org Web: www.hainesedc.org

April 8, 2020

Dear Haines Borough Assembly members,

This is HEDC's quarterly activities report, as required in our MOU with Haines Borough. When we first began to compile this report in mid-March, we outlined our Census outreach efforts, our "Early Education in Haines By the Numbers" study, and our continued partnership with the Alaska Small Business Development Center to offer more workshops, advising and resources to Haines entrepreneurs and business owners. Before this report was complete, our focus shifted dramatically to the immediate response to the needs of Haines businesses during the COVID-19 crisis.

Since mid-March, HEDC has been fielding 2-10 calls each day from local businesses owners in search of resources and technical assistance with SBA emergency disaster loans and other relief. We have attended virtual meetings with the AK Small Business Development Center, other economic development organizations across the state (hosted by University of Alaska's Center for Economic Development) Spruce Roots' Southeast Sustainable Partnership, the governors Economic Stability Team and others in efforts to connect, learn and collaborate on the economic response across the state. We have provided updated resources and help guides on our website, posted resources on our Facebook page and dealt directly with at least three dozen business owners and community members with understanding of immediate and long-term economic relief resources.

We also conducted a Haines COVID-19 Economic Impacts survey. This survey was in response to Southeast Conference and Spruce Root collaborating on a survey for Southeast businesses but receiving few Haines responses. In consultation with them, we used similar survey questions and were able to more than double the response rate for Haines businesses. Those survey results are attached and provide a snapshot into the current economic conditions in Haines for businesses and may help inform any near-term decisions you might make regarding the economy.

We've also worked to inform employees affected by the COVID-19 crisis, providing technical assistance and outreach about unemployment benefits, possible employment opportunities, and other individual economic relief resources.

Since March 16, we've also presented the Assembly with two memos of the present economic conditions and considerations in response to COVID-19; "Local short- and long-term economic impacts of COVID-19 outbreak" and "Resources, data emerging from COVID-19 response." You have seen those memos previously.

Last week Haines Emergency Command directed HEDC and the Haines Chamber of Commerce to form an "Economic Recovery Task Force." This effort is in the early stages but we are working to compile ideas and suggestions for possible economic recovery efforts for the community; you will more about these ideas in coming days or weeks.

Finally, on a personal note, I was asked to volunteer some of my time helping the Haines Emergency Command with Public Information duties. The HEDC board encouraged this, since, as a publicly funded organization it was a way we could assist in the immediate response effort. I still continue with this work on my own time about 2-3 hours a day.

Thank you for your interest in our work. HEDC is committed to working with community leaders, businesses, and individuals to face this challenging economic time in Haines.

Sincerely,

A handwritten signature in black ink, appearing to read "M. Friedenauer", with a long, sweeping horizontal line extending to the right.

Margaret Friedenauer, Executive Director

Memo

From: Haines Economic Development Corp.

Date: April 7, 2020

RE: Haines Business COVID-19 Response Survey

This survey was issued March 27-April 4 after similar surveys by the Southeast Conference and Spruce Root did not capture many Haines respondents. The questions on this survey were modeled after those surveys. These results are not meant to represent a “statistically accurate” selection of all Haines’ businesses, but it is meant to take a snapshot of business owners immediate concerns under present circumstances. Below are some highlights of the results; please follow the link at the bottom to see complete results.

Survey Results Overview

35 respondents

- Majority respondents are Retail businesses (31%)
- Manufacturing/Wholesale (14%)
- Tour or Guiding Services (11%)
- Other Leisure or Hospitality (including Lodging) (11%)
- Restaurant, beverage or food service (11%)

Other businesses responding include commercial fishing, health or social services, professional services/consulting, childcare, transportation, resources management, museum and life raptor center tours.

- The businesses responding employ a total of 29 fulltime year-round employees, 13 part-time year-round employees and 20 seasonal employees.
- All respondents have experienced some business disruption of business due to COVID-19.
- 63% are still operating; 37% are not operating.
- 17% of respondents are at no at risk of closure at this time; 37% are at a moderate or significant risk of closing under current circumstances. Of those 37%, 9% expect to close within the month; 21% within 1-3 months.
- Just over half of the responding businesses said they have experienced 50% or more in revenue decline in the last 30 days compared to the same time in 2019. Two businesses reported significant increases in revenue.
- About 46% reported they are considering some type of emergency or short-term financing, with the majority of these needing the financing in the next 1-3 months. The majority of these said the financing would be used for operating expenses.
- About 27% of respondents have already laid off employees with about 12% having reduced hours for employees. 27% have told seasonal employees not to report for work.

For complete results: <https://www.surveymonkey.com/stories/SM-TDXSTYF9/>



Manager's Memo

Debra Schnabel

dschnabel@haines.ak.us

(907) 766-6404

April 8, 2020

To: Assembly

Re: Appendix A. as it relates to Agenda Item 11. A. 1. and Agenda Item 11. B. 1.

Agenda Item 11. A. 1. Extension of Resolution 20-03-855, Shelter in Place

On March 24 the Assembly adopted Resolution 20-03-855 requiring people in the Haines Borough to Shelter in Place. The resolution is scheduled to terminate on April 15 at 12:01 am unless extended.

The Borough's Shelter in Place Resolution follows closely the State's Health Mandate 011: Social Distancing, which will be reevaluated April 11 (Saturday).

The Haines Borough EOC recommends that the resolution be extended (or not) to meet the State's extension (or not) of Mandate 011.

The Borough's Resolution includes Appendix A which defines Haines Critical Business, Industry or Economic Sectors that are allowed to function with a plan of operation that "minimizes contact between workers and customers, minimizes congregation of people and emphasizes hygienic practices."

Agenda Item 11. B. 1. Ordinance 20-03-565 providing for quarantine of people traveling to Haines

Appendix A is also a part of Resolution 20-03-854 requiring quarantine of all people traveling into the Haines Borough. This resolution was superseded by State Mandate 12 and is not effective. The Mayor is introducing as Agenda Item 11. B. 1. Ordinance 20-03-565 providing for the quarantine of people travel to Haines. Legal Counsel believes that Ordinance 20-03-565 effectively provides the Borough the argument that it has local control of community health.

Appendix A is offered for your consideration for exempting a Critical Business, Industry or Economic Sectors from the requirements of quarantine stated in Ordinance 20-03-565 should it be adopted.

A Resolution of the Haines Borough Assembly Requiring People in the Haines Borough to Shelter in Place Related to COVID-19.

WHEREAS, COVID-19 is a respiratory disease that can result in serious illness or death and is caused by the SARS-Cov-2 virus (virus), a new strain of the coronavirus that has not been previously identified in humans and is easily transmittable person to person; and

WHEREAS, on March 11, 2020, the World Health Organization (WHO) declared a pandemic; Alaska Governor Dunleavy issued a declaration of public health disaster emergency in response to the anticipated outbreak of COVID-19 in Alaska; and on March 13, 2020 President Donald J. Trump declared a national emergency in response to the virus pandemic; and

WHEREAS, on March 13, 2020, the Haines Borough Manager activated the Haines Borough Emergency Operations Command (EOC); and

WHEREAS, on March 17, 2020, the Haines Borough Mayor issued a Declaration of Emergency for the Haines Borough to alert the public to the seriousness of the risk, and provide direction to sources of information and other available public health resources, while the Haines Borough works in cooperation with other local and state agencies through the EOC to implement actions and responses to address the probable COVID-19 outbreak; and

WHEREAS, on March 24, 2020, the Haines Borough Assembly declared a local emergency in response to COVID-19; and

WHEREAS, the known best practice for preventing the spread of coronavirus is the preventing contact between people,

NOW THEREFORE, BE IT RESOLVED by the Haines Borough Assembly to require all residents and visitors who **have no symptoms, have** not been tested for coronavirus and not been in contact with a person infected with COVID-19 to **Shelter in Place**.

Shelter in Place means: (1) If you have no symptoms and have NOT tested positive of COVID-19, stay home except for procuring food, fuel, supplies, mail and medical appointments. When engaging with other people, establish space of at least 6 ft. apart. (2) Practice healthy outdoor activity while remaining at least six feet apart. (3) If you are an employee and your business or employer has been closed by State Mandate, request permission to work from home via electronic means. (4) If you are an employer, business or employee described in Appendix A. **Haines Borough Critical Business, Industry or Economic Sectors**, institute a plan of operation that minimizes contact between workers and customers, minimizes congregation of people (no more than 10 people may congregate, per State Health Mandate 9.1), and emphasizes hygienic practices. Consider closing your business to walk-in customers and perform services telephonically to the extent possible.

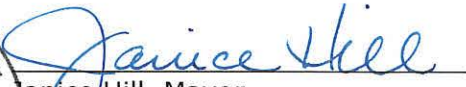
Effective Date and Duration: This requirement shall go into effect March 25, 2020 at 12:01 am and will terminate April 15, 2020 at 12:01 am unless extended.

Adopted by a duly-constituted quorum of the Haines Borough Assembly on this 24th day of March, 2020.

Attest:


Alekka Fullerton, CMC, Borough Clerk




Janice Hill, Mayor

Appendix A.

Haines Borough Critical Business, Industry or Economic Sectors

Functioning critical infrastructure is imperative during the response to the COVID-19 emergency for both public health and safety as well as community well-being. Certain critical infrastructure industries have a special responsibility in these times to continue operations. At this time, critical industries and entities in Haines include:

- a. "Healthcare Operations" including the clinic, dental emergency services, pharmacies, other healthcare facilities, home healthcare services providers, mental health providers, consumer health products, or any related and/or ancillary healthcare services. "Healthcare Operations" includes veterinary care. "Healthcare Operations" does not include fitness and exercise gyms and yoga.
- b. Businesses providing any services or performing any work necessary to the operations and maintenance of "Essential Infrastructure," including, but not limited to, Ports and Harbors, public works construction, construction of housing, airport operations, water, sewer, gas, electrical, mining, logging, roads and highways, public transportation, solid waste collection and removal, internet, and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services).
- c. Financial services sector, banks and insurance companies.
- d. First responders, emergency management personnel, emergency dispatchers, court personnel, and law enforcement personnel.
- e. Individuals providing "Essential Governmental Functions". "Essential Government Functions" means all services needed to ensure the continuing operation of government agencies and provide for the health, safety, and welfare of the public.
- f. Grocery stores, supermarkets, food banks, convenience stores, and other establishments engaged in the retail sale of household consumer products (such as cleaning and personal care products).
- g. Food and agriculture, cultivation, including farming, livestock, and fishing;
- h. Businesses that provide social services and other necessities of life for economically disadvantaged or otherwise needy individuals;
- i. Newspapers, television, radio, and other media services;
- j. Gas stations and auto-supply, auto-repair, bicycle-repair, and related facilities;
- k. Hardware stores; Plumbers, electricians, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences and critical business facilities;

- l. Businesses providing mailing and shipping services, including post office boxes;
- m. Educational institutions facilitating distance learning;
- n. Laundromats, dry cleaners, and laundry service providers;
- o. Restaurants, breweries, distilleries and other facilities that prepare and serve food or beverages, but only for delivery or carry out under the restrictions set forth in COVID-19 Health Mandate 003;
- p. Businesses that supply products needed for people to work from home;
- q. Businesses that supply other essential businesses with the support or supplies necessary to operate;
- r. Businesses that transport wholesale goods to retail stores, delivery of fuel, or other services directly to residences or other critical industries outlined in this health mandate.
- s. Airlines, marine vessels, taxis, and other private transportation business providing transportation services;
- t. Residential facilities and shelters for seniors, adults, and children;
- u. Professional services, such as legal or accounting services, when necessary to assist in compliance with legally-mandated activities;
- v. Childcare facilities, subject to new recommendations for increased hygiene and social distancing. Childcare facilities should be used only by those who need childcare to work at a critical job.

HAINES BOROUGH, ALASKA
RESOLUTION No. 20-04-858

Draft

A Resolution of the Haines Borough Assembly Closing the Library to Exchange of Physical Objects and Encouraging Web-based Services during the Duration of the Haines Borough Emergency Declaration

WHEREAS, on March 24, 2020, the Haines Borough Assembly adopted a Declaration of Emergency for the Haines Borough to alert the public to the seriousness of the risk, and provide direction to sources of information and other available public health resources, while the Haines Borough works in cooperation with other local and state agencies through the EOC to implement actions and responses to address the probable Coronavirus Disease (COVID-19) outbreak; and

WHEREAS, to prevent the spread of COVID-19 by controlling the ingress to Alaska from outside localities, on March 23, 2020, the State of Alaska, based on its authority under the Public Health Disaster Emergency Declaration, issued Health Mandate 10.1 ordering quarantine of all people arriving in Alaska with exception for certain health and critical infrastructure industries, effective 12:01 am March 25, 2020; and

WHEREAS, on March 16, 2020, the State of Alaska issued Health Mandate 2.1 closing all libraries, museums, and archives through March 31, 2020; and

WHEREAS, on April 1, 2020, the State of Alaska extended "until rescinded" Health Mandate 2.1 which states in part: "all libraries, archives, and museums shall be closed to the public; and

WHEREAS; national and state medical professionals have stated that the spread of the COVID-19 virus occurs as a result of coming into contact with contaminated human body fluids; and

WHEREAS; it is possible to become infected with the COVID-19 virus by touching any object or surface which has been contaminated by an infected person; and

WHEREAS; the Haines Borough Assembly is unwilling to carelessly risk the exposure of any citizen within the borough to the COVID-19 virus;

NOW THEREFORE, BE IT RESOLVED that the Haines Borough Assembly directs the borough manager to:

1. close, **effective immediately**, the library to all public exchanges of physical objects held or owned by the library until the borough assembly declares the COVID-19 emergency to be over, and
2. encourage the library to develop a plan to facilitate access to library resources via web based applications available from our library or other public libraries providing these services.

Adopted by a duly-constituted quorum of the Haines Borough Assembly on this 14th day of April, 2020.

Attest:

Janice Hill, Mayor

Aleka Fullerton, CMC, Borough Clerk



Manager's Memo

Debra Schnabel
dschnabel@haines.ak.us
(907) 766-6404

April 8, 2020

To: Haines Borough Assembly

Re: Agenda Item 11. A. 2. Resolution Requiring Closure of the Haines Borough Library

I appreciate the Assembly's engagement on the issue of whether the Library should be providing services, and how.

COVID-19 Mandate 2.1 states that "all libraries, archives and museums shall be closed to the public from March 17 through March 31, 2020...staff in libraries, archives, and museums will continue to service the public through telephone, web and other modes that preserve the highest degree of social distancing possible."

The Library developed a no-contact lending program after the issuance of the State's Mandate 2.1 on March 16. The procedures that the Library Director established and is currently following are attached for your review; in my opinion, every consideration for maintaining standards of health and safety as described by the CDC are being observed.

Alaska State Health Mandate 011 went into effect March 28 and will be evaluated April 11. The mandate exempts "public government services." The Alaska Essential Services and Critical Workforce Infrastructure Order identifies "essential government functions" as those providing for the health, safety and welfare of the public.

The rationale for continuing to provide library services rests primarily in local demand and my sense that library services attend the welfare of many of our citizens. The Library is used daily by many people who are not connected electronically to the internet; they depend on the circulating library services for magazines, books and audio materials that contribute positively to quality of life. While under a shelter at home mandate that allows citizens to run brief errands to grocery stores, pharmacies the post office and hardware stores, it did not seem threatening to also pick a disinfected book or audio tape from a table at the library foyer.

Assurance that the activity is allowed was given by Patience Frederickson, the Director of the Division of Library Services, DEED. Other Libraries in the state that are offering "curb-side" or no-contact lending services include Juneau, Sitka, Wrangell and Petersburg. Additionally, the Haines Borough School District Library is lending books under a similar process.

MEMORANDUM

FROM: Carolyn Goolsby
Library Director

TO: Debra Schnabel
Borough Manager

RE: NON-CONTACT LIBRARY SERVICE

In order to ensure compliance with Alaska COVID-19 Health Mandate 2.1, The Haines Borough Public Library has implemented the following procedures:

- The Library is closed to the public. Patrons may not enter the inner doors of the Library
- Only one staff member may be in the building at a time.
- Staff wear gloves when handling all materials and follow guidelines for blood-borne pathogens regarding their use (Never share gloves, do not use gloves more than one shift, do not use cracked, discolored or torn gloves, apply hand sanitizer under gloves, turn gloves inside-out when removing, dispose of gloves immediately)
- Requests for materials will be taken by telephone and email. Staff then fill that request as follows:
 - Take the item from the shelf, using gloves
 - Sanitize the item with an antiseptic wipe
 - Place the item in a new paper bag
 - Write the name of the patron on the bag
 - Place the bag on a table in the foyer
- Pick-Up hours in the foyer are limited to 12:00PM-2:00PM
- The outer doors of the Library will be propped open as weather permits
- The Library is not accepting materials, either in the building or the drop box, in order to preclude the possibility of transmitting the virus via paper or plastic.
 - Patrons are being told to keep items until contacted
 - Fines do not accrue during the time the Library is closed to the public
 - Drop Box has been covered, with signage instructing patrons to keep materials and stating that fines are not accrued

HAINES BOROUGH
RESOLUTION No. 20-04-859

Draft

**A Resolution of the Borough Assembly Extending the Appeal
Period for Property Assessment Appeals and Setting the Date of
the 2020 Board of Equalization.**

WHEREAS, Haines Borough Code 3.72.110(A) Board of Equalization (BOE) states that the borough assembly sits as the board of equalization for the purpose of hearing an appeal from a determination of the assessor, or it may delegate this authority to a board appointed by it; and,

WHEREAS, Haines Borough Code 3.72.110(B) states that the BOE shall meet on the second Monday in May unless otherwise changed by resolution, and the Board shall adjourn over and continue its session as business requires; and,

WHEREAS, assessment notices are required to be mailed 30 days prior to the BOE hearing; and,

WHEREAS, the assessment notices for 2020 were mailed out March 16, 2020; and,

WHEREAS, Haines Borough Code 3.72.100(B) requires appellants to submit to the assessor a written appeal regarding their property assessment no later than 30 days from the date of mailing of the assessment notices; and

WHEREAS, Haines Borough Code 3.72.100(B) also provides that the right to appeal ceases unless the board of equalization finds that the taxpayer was unable to comply; and

WHEREAS, the Haines Borough, through Resolution 20-03-853 adopted March 24, 2020 declared an emergency in the Haines Borough based on the risk to the public posed by the global COVID-19 pandemic and the substantial economic impacts to the Haines Borough; and

WHEREAS, the Declaration of Emergency is in effect until the virus no longer poses a health or financial emergency in the community but shall be reevaluated April 28, 2020; and

NOW THEREFORE BE IT RESOLVED, that the Haines Borough Assembly extended the Property Tax Assessment appeal period until _____ and schedules the Board of Equalization for _____.

BE IT FURTHER RESOLVED, that if the number or length of appeals requires additional BOE hearing dates, the continued date shall be _____.

Adopted by a duly-constituted quorum of the Haines Borough Assembly on this 14th day of April, 2020.

Attest:

Jan Hill, Mayor

Alekkha Fullerton, CMC, Borough Clerk



Haines Borough
Assembly Agenda Bill

Agenda Bill No.: 20-1012

Assembly Meeting Date: 04/14/20

Business Item Description:	Attachments:
Subject: Emergency Ordinance providing for the Quarantine of People Traveling to Haines	1. Memo from the Clerk 2. Ordinance 20-04-565
Originator: Borough Manager	
Originating Department: Administration	
Date Submitted: 4/8/20	

Full Title/Motion:
Motion: Adopt Emergency Ordinance 20-04-565.

Administrative Recommendation:

Fiscal Impact:			
Expenditure Required	Amount Budgeted	Appropriation Required	Projected Impact to Future Operating Budgets
\$	\$	\$	

Comprehensive Plan Consistency Review:	
Comp Plan Goals/Objectives:	Consistent: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Summary Statement:
<p>Ordinance 20-04-565 is an emergency ordinance allowing for the quarantine of individuals traveling to Haines. While State Mandate 12 generally restricted local control over intrastate travel, it expressly provided exceptions for certain Small Alaskan Communities. Ordinance 20-04-565 presumes that intrastate travelers will quarantine but allows for that presumption to be rebutted with the filing of an acceptable Plan of Protection with the Haines Borough. This ordinance will be enforced as a minor offense violation. Borough Attorney Brooks Chandler has reviewed and revised this Emergency Ordinance.</p> <p>This emergency ordinance will expire May 12, 2020 unless extended (within the 60 days for an Emergency Ordinance).</p>

Referral:
Referred to: _____ Referral Date: _____ Recommendation: _____ Meeting Date: _____

Assembly Action:
Meeting Date(s): 4/14/20 _____ Public Hearing Date(s): 4/14/20 _____ Postponed to Date: _____



Memo from the Borough Clerk

Date: April 8, 2020
To: Debra Schnabel, Borough Manager
Haines Borough Assembly
From: Alekka Fullerton
Re: Haines Borough Travel Quarantine

I have been asked to review the State Covid-19 Health Mandate 12 and reconcile the State Mandate with Haines Borough Resolution 20-03-854.

Attached please find proposed Emergency Ordinance 20-04-565. I believe this is permissible in light of Health Mandate 12's restriction that it supersedes any local government or tribal mandate, directive, or order restricting intrastate travel because:

1. The express language of Mandate 12 allows Small Communities to further restrict travel in their community (and adopt travel restrictions that are more restrictive than otherwise permitted in Health Mandate 12). The Small community exception (per Attachment B to Health Mandate 12) is for communities that are "removed from the road system, have a population smaller than 3,000 and do not house a hub hospital managed by the tribal healthcare system".

It is my understanding that the limitation on small communities is designed to keep magnet municipalities with hospitals from "closing their borders" to other small Alaskan communities who do not have hospitals and can access the magnet communities by road.

Haines Borough does not have a hospital and we are "removed" from the road system by another country who chooses who may pass through its borders (and is not allowing sick people through). Our community has fewer than 3,000 people. We have 40 miles of road starting in Haines and ending in Canada.

Therefore, allowing the Haines Borough to restrict travel as envisioned by Attachment B is consistent with the underlying purpose of Health Mandate 12 in that it seeks to "*control the movement of individuals within Alaska in order to prevent, slow, and otherwise disrupt the spread of the virus that causes COVID-19*" (the stated purpose of Mandate 12).

2. Health Mandate 12 provides:

"No one traveling to or from any community for critical reasons or critical personal travel may be subject to any automatic¹ quarantine or isolation on arrival except as allowed under Alaska Statutes² or Health Mandates³".

1. The proposed Ordinance does not impose an automatic quarantine but a *presumed* quarantine which presumption can be overcome by application of a Plan of Protection to the Borough Manager.

2. The Haines Borough is a Home Rule borough per AS 29.04.010.

3. See Attachment B argument above.

3. Emergency Ordinance is locally enforceable by minor offense.

It is my understanding that another reason Mandate 12 limited inconsistent mandates across the state was lack of enforceability. Haines Borough Emergency Ordinance 20-04-565 limits enforcement to financial penalties as a minor offense with a scheduled court date after May 31 (court is closed for minor offense matters until then).

Proposed Emergency Ordinance has been reviewed and revised by Brooks Chandler, Borough Attorney.

AN EMERGENCY ORDINANCE OF THE HAINES BOROUGH PURSUANT TO HAINES BOROUGH CODE 2.12.040, PROVIDING FOR THE QUARANTINE OF PEOPLE TRAVELING TO HAINES DUE TO COVID-19 PANDEMIC RESPONSE.

WHEREAS, this Ordinance is being introduced pursuant to a finding by the assembly that an emergency exists and based upon the Haines Borough's adoption of Resolution 20-03-853, A Resolution of the Haines Borough Assembly Certifying the Declaration of Emergency in the Haines Borough Based on the Risk to the Public posed by the Global COVID-19 Pandemic and the Substantial Economic Impacts to the Haines Borough; and

WHEREAS, an emergency ordinance may be adopted, amended and adopted, or rejected at the meeting at which it is introduced; and

WHEREAS, the affirmative vote of all members present, or the affirmative vote of three-fourths of the total membership, whichever is less, is required for adoption of an emergency ordinance; and

WHEREAS, this emergency ordinance is effective for 60 days; and

WHEREAS, On March 23, 2020 the Governor of Alaska issued Health Mandate 10 requiring "all people arriving in Alaska whether resident, worker or visitor" to self-quarantine for 14 days and monitor for illness by proceeding "directly from the airport to your designated quarantine location" and to "remain in your designated quarantine location for a period of 14 days". The stated purpose of Mandate 10 was to "protect the public health of Alaskans . . . in order to mitigate the impact of COVID-19".

WHEREAS, on March 23, 2020 the State of Alaska issued additional details on implementation of Mandate 10. Those details indicated "All workers arriving in the State must follow the 14-day self-quarantine guidance. If your business meets the definitions of critical infrastructure workers, you may put them to work immediately, provided that you have an approved Community/Workforce Protective Plan and that you enact the protective measures in your plan to safeguard the surrounding community and the remainder of your workforce from the newly arrived workers" and further indicated "All newly arrived workers will observe self-quarantine protocols in their non-work times until they have completed the required 14-day period."

WHEREAS, on March 24, 2020, the Haines Borough adopted Resolution 20-03-854 requiring people travelling into the Haines Borough from outside borough boundaries by marine vessel, motor vehicle or airplane to self-quarantine for 14 days upon arrival except for public health workers and people engaged in critical business or entities as described in Appendix A; and

WHEREAS, the State of Alaska has restricted the movement of individuals within the State of Alaska in order to prevent, slow and otherwise disrupt the spread of the virus that causes COVID-19 as described in COVID-19 Health Mandate 12 issued March 27, 2020; and

WHEREAS, State Mandate 12 allows certain Small Alaskan communities to implement further travel restrictions pursuant to the "Alaska Small Community Emergency Travel Order – Attachment B"; and

WHEREAS, the Haines Borough has fewer than 3,000 citizens, does not have a hub hospital managed by the tribal healthcare system and is "removed" from the Alaska road system by Canada and therefore falls under the "Alaska Small Community" exception for the purposes of Mandate 12; and

WHEREAS, since the Haines Borough has the highest median age in the State of Alaska it has a higher percentage of persons in the “at risk” age group than elsewhere in the State; and

WHEREAS, the Haines Borough is a Home Rule Borough as allowed by AS 29.04.010; and

WHEREAS, as of April 8, 2020 the State of Alaska has 226 confirmed cases of COVID-19; neighboring municipality of the City and Borough of Juneau has 14 confirmed cases of COVID-19 and the neighboring Yukon Territory, Canada has 7 confirmed cases of COVID-19; and

WHEREAS, as of April 8, 2020, the Haines Borough has no confirmed cases of COVID-19; and

WHEREAS, as of the date of this Ordinance, in every Alaskan community in which the Covid-19 virus has been confirmed to be present the initial presence of the virus resulted from an infected (and therefore contagious) person traveling into the community from another place; and

WHEREAS, it is a known medical fact that persons infected with the Covid-19 virus are contagious and therefore spread the virus within a community for days before exhibiting symptoms of a Covid-19 infection; and

WHEREAS, the risk of the spread of Covid-19 from persons arriving in the Haines Borough from other states and countries is of the same essential nature as the risk of the spread of Covid-19 from persons arriving in the Haines Borough from other communities in Alaska; and.

WHEREAS, in fact, the risk of the spread of Covid-19 from persons arriving in the Haines Borough from other places in Alaska is greater than the risk of the spread of Covid-19 from persons subject to the automatic 14 day quarantine imposed by Mandate 10 because greater numbers of people travel to the Borough from other places in Alaska than from other states and countries; and

WHEREAS, the risk of the spread of Covid-19 is not solely dependent on where a person was before boarding a boat or airplane. Persons traveling to the Haines Borough from other states are not more or less contagious than persons traveling to the Haines Borough from other communities in Alaska; and

WHEREAS, the most effective way to prevent introduction of the Covid-19 virus to the Haines Borough is through prevention of persons from outside the Borough who are infected with Covid-19 from entering the Borough and interacting with the Borough’s uninfected residents; and

WHEREAS, The President’s Coronavirus Guidelines for America recommends persons LISTEN TO AND FOLLOW THE DIRECTIONS OF YOUR STATE AND LOCAL AUTHORITIES; and

WHEREAS, the Haines Borough is linked to the City and Borough of Juneau by daily commercial air traffic and regular ferry service; and

WHEREAS, this ordinance is akin to an emergency declaration and is reasonable and necessary under the circumstances to protect the health, welfare, and safety of all borough residents including our vulnerable elder population; and

NOW THEREFORE, BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

Section 1. Classification. This ordinance is a non-code ordinance.

Section 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held to be invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Section 3. Effective Date. This ordinance shall become effective immediately upon adoption and, per HBC 2.12.040, may be adopted upon introduction.

Section 4. Purpose and Authority. This ordinance is adopted under the general police powers of the Haines Borough in order to protect the health, welfare and safety of all Haines Borough residents including our vulnerable elder population.

Section 5. Finding of Emergency. The facts and circumstances referenced in the Whereas clauses of this Ordinance are adopted as legislative findings and constitute an emergency.

Section 6. Revision of Quarantine Requirements of Resolution 20-03-854.

IN ADDITION to Health Mandate 12.0, the Haines Borough Assembly requires any person entering the Haines Borough from outside borough boundaries by marine vessel, motor vehicle or airplane who has not obtained a Haines Borough approved Plan of Protection to self-quarantine for 14 days upon arrival.

To obtain a Haines Borough approved Plan of Protection, contact dschnabel@haines.ak.us with a written plan describing protocols and policies that will be undertaken to ensure that the entrance of persons will not endanger the health and safety of residents or compromise the health of the community. This Plan of Protection must be submitted at least 24 hours prior to the entrance of the employees in the Haines Borough. Exempted entities identified in the Alaska Essential Services and Critical Workforce Infrastructure Order as amended March 27, 2020 and their employees must obtain a Plan of Protection and are still required to comply with all State health mandates.

Section 7. Penalties. Violation of this emergency ordinance shall be a minor offense.

A person who fails to abide by the provisions of this ordinance commits a minor offense as described in HBC 1.24 punishable by a fine of \$500.00.

Section 8. Effective Date and Duration: This requirement shall go into effect April 15, 2020 at 12:01 am and will terminate May 12, 2020 at 11:59 PM unless extended.

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS 14th DAY OF APRIL, 2020.

ATTEST:

Janice Hill, Mayor

Aleka Fullerton, Borough Clerk



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

**Department of Commerce, Community,
and Economic Development**

ALCOHOL & MARIJUANA CONTROL OFFICE
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

11C2

March 9, 2020

Haines Borough
Attn: Alekka Fullerton
VIA Email: AFullerton@haines.ak.us

License Type:	Winery	License Number:	5895
Licensee:	Beard Brothers Handiworks LLC		
Doing Business As:	Three Northmen		
Premises Address:	102 Main Street		

- ☒ **New Application** ☐ **Transfer of Ownership Application**
☐ **Transfer of Location Application** ☐ **Transfer of Controlling Interest Application**

We have received a completed application for the above listed license (see attached application documents) within your jurisdiction. This is the notice required under AS 04.11.480.

A local governing body may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the director **and** the applicant with a clear and concise written statement of reasons for the protest within 60 days of receipt of this notice, and by allowing the applicant a reasonable opportunity to defend the application before a meeting of the local governing body, as required by 3 AAC 304.145(d). If a protest is filed, the board will deny the application unless the board finds that the protest is arbitrary, capricious, and unreasonable. To protest the application referenced above, please submit your protest within 60 days and show proof of service upon the applicant.

AS 04.11.491 – AS 04.11.509 provide that the board will deny a license application if the board finds that the license is prohibited under as a result of an election conducted under AS 04.11.507.

AS 04.11.420 provides that the board will not issue a license when a local governing body protests an application on the grounds that the applicant's proposed licensed premises are located in a place within the local government where a local zoning ordinance prohibits the alcohol establishment, unless the local government has approved a variance from the local ordinance.

Sincerely,

Glen Klinkhart, Interim Director
amco.localgovernmentonly@alaska.gov



Alaska Alcoholic Beverage Control Board

Form AB-00: New License Application

What is this form?

This new license application form is required for all individuals or entities seeking to apply for a new liquor license. Applicants should review Title 04 of Alaska Statutes and Chapter 304 of the Alaska Administrative Code. All fields of this form must be completed, per AS 04.11.260 and 3 AAC 304.105.

This form must be completed and submitted to AMCO's main office, along with all other required forms and documents, before any license application will be considered complete.

Section 1 – Establishment and Contact Information

Enter information for the business seeking to be licensed.

Licensee:	Beard Brothers Handiworks LLC				
License Type:	Winery	Statutory Reference:	04.11.140		
Doing Business As:	Three Northmen				
Premises Address:	102 Main Street				
City:	Haines	State:	AK	ZIP:	99827
Local Governing Body:	Haines Borough				
Community Council:	Haines Borough				

Mailing Address:	PO Box 887				
City:	Haines	State:	AK	ZIP:	99827

Designated Licensee:	Christopher S. Thorgesen				
Contact Phone:	907-713-7213	Business Phone:	907-713-7213		
Contact Email:	acathor@yahoo.com				

Seasonal License? ☐ Yes ☒ No ☐ If "Yes", write your six-month operating period: _____

OFFICE USE ONLY

Complete Date:		License Years:		License #:	5895
Board Meeting Date:		Transaction #:	1251837 1251838 &		
Issue Date:		BRE:	1251840		



Alaska Alcoholic Beverage Control Board

Form AB-00: New License Application

Section 2 – Premises Information

Premises to be licensed is:



an existing facility



a new building



a proposed building

The next two questions must be completed by beverage dispensary (including tourism) and package store applicants only:

What is the distance of the shortest pedestrian route from the public entrance of the building of your proposed premises to the outer boundaries of the nearest school grounds? Include the unit of measurement in your answer.

N/A

What is the distance of the shortest pedestrian route from the public entrance of the building of your proposed premises to the public entrance of the nearest church building? Include the unit of measurement in your answer.

N/A

Section 3 – Sole Proprietor Ownership Information

This section must be completed by any sole proprietor who is applying for a license. Entities should skip to Section 4. If more space is needed, please attach a separate sheet with the required information.

The following information must be completed for each licensee and each affiliate (spouse).

This individual is an: ☐ applicant ☐ affiliate

N/A

Name:					
Address:					
City:		State:		ZIP:	

This individual is an: ☐ applicant ☐ affiliate

Name:					
Address:					
City:		State:		ZIP:	



Alaska Alcoholic Beverage Control Board

Form AB-00: New License Application

Section 4 – Entity Ownership Information

This section must be completed by any entity, including a corporation, limited liability company (LLC), partnership, or limited partnership, that is applying for a license. Sole proprietors should skip to Section 5.

If more space is needed, please attach a separate sheet with the required information.

- If the applicant is a corporation, the following information must be completed for each *stockholder who owns 10% or more* of the stock in the corporation, and for each *president, vice-president, secretary, and managing officer*.
- If the applicant is a limited liability organization, the following information must be completed for each *member with an ownership interest of 10% or more*, and for each *manager*.
- If the applicant is a partnership, including a limited partnership, the following information must be completed for each *partner with an interest of 10% or more*, and for each *general partner*.

Entity Official:	Christopher S. Thorgesen				
Title(s):	Member	Phone:	907-713-7213	% Owned:	33
Address:	302 Union Street				
City:	Haines	State:	AK	ZIP:	99827

Entity Official:	Jeremy Groves				
Title(s):	Member	Phone:	907-713-7213	% Owned:	33
Address:	900 Comstock Road 515-7020				
City:	Haines	State:	AK	ZIP:	99827

Entity Official:	Chad Clark				
Title(s):	Member	Phone:	907-515-7028	% Owned:	33
Address:	18 mile Haines Highway				
City:	Haines	State:	AK	ZIP:	99827

Entity Official:	N/A				
Title(s):		Phone:		% Owned:	
Address:					
City:		State:		ZIP:	



Alcohol and Marijuana Control Office
550 W 7th Avenue, Suite 1600
Anchorage, AK 99501

alcohol.licensing@alaska.gov

<https://www.commerce.alaska.gov/web/amco>

Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board

Form AB-00: New License Application

This subsection must be completed by any applicant that is a corporation or LLC. Corporations and LLCs are required to be in good standing with the Alaska Division of Corporations (DOC) and have a registered agent who is an individual resident of the state of Alaska.

DOC Entity #:	10119259	AK Formed Date:	12/9/2019	Home State:	Alaska
Registered Agent:	Christopher S. Thorgesen		Agent's Phone:	907-713-7213	
Agent's Mailing Address:	PO Box 887				
City:	Haines	State:	AK	ZIP:	99827

Residency of Agent:

Yes No

Is your corporation or LLC's registered agent an individual resident of the state of Alaska?

☒ ☐

Section 5 - Other Licenses

Ownership and financial interest in other alcoholic beverage businesses:

Yes No

Does any representative or owner named in this application have any direct or indirect financial interest in any other alcoholic beverage business that does business in or is licensed in Alaska?

☐ ☒

If "Yes", disclose which individual(s) has the financial interest, what the type of business is, and if licensed in Alaska, which license number(s) and license type(s):

Section 6 - Authorization

Communication with AMCO staff:

Yes No

Does any person other than a licensee named in this application have authority to discuss this license with AMCO staff?

☐ ☒

If "Yes", disclose the name of the individual and the reason for this authorization:



Alaska Alcoholic Beverage Control Board

Form AB-00: New License Application

Section 7 – Certifications

Read each line below, and then sign your initials in the box to the right of each statement:

Initials

I certify that all proposed licensees (as defined in AS 04.11.260) and affiliates have been listed on this application.

CT

I certify that all proposed licensees have been listed with the Division of Corporations.

CT

I certify that I understand that providing a false statement on this form or any other form provided by AMCO is grounds for rejection or denial of this application or revocation of any license issued.

CT

I certify that all licensees, agents, and employees who sell or serve alcoholic beverages or check the identification of a patron will complete an approved alcohol server education course, if required by AS 04.21.025, and, while selling or serving alcoholic beverages, will carry or have available to show a current course card or a photocopy of the card certifying completion of approved alcohol server education course, if required by 3 AAC 304.465.

CT

I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application.

CT

As an applicant for a liquor license, I declare under penalty of perjury that I have read and am familiar with AS 04 and 3 AAC 304, and that this application, including all accompanying schedules and statements, is true, correct, and complete.

Signature of licensee

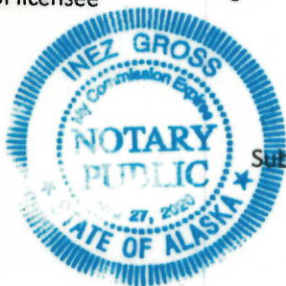
Christopher S. Thorjesen
Printed name of licensee

Signature of Notary Public

Notary Public in and for the State of Alaska

My commission expires: 8/27/2020

Subscribed and sworn to before me this 10 day of December, 2019.





Alaska Alcoholic Beverage Control Board

Form AB-02: Premises Diagram

What is this form?

A detailed diagram of the proposed licensed premises is required for all liquor license applications, per AS 04.11.260 and 3 AAC 304.185. Your diagram must include dimensions and must show all entrances and boundaries of the premises, walls, bars, fixtures, and areas of storage, service, consumption, and manufacturing. If your proposed premises is located within a building or building complex that contains multiple businesses and/or tenants, please provide an additional page that clearly shows the location of your proposed premises within the building or building complex, along with the addresses and/or suite numbers of the other businesses and/or tenants within the building or building complex.

The second page of this form is not required. Blueprints, CAD drawings, or other clearly drawn and marked diagrams may be submitted in lieu of the second page of this form. The first page must still be completed, attached to, and submitted with any supplemental diagrams. An AMCO employee may require you to complete the second page of this form if additional documentation for your premises diagram is needed.

This form must be completed and submitted to AMCO's main office before any license application will be considered complete.

Yes No

I have attached blueprints, CAD drawings, or other supporting documents in addition to, or in lieu of, the second page of this form.

☐☒

Section 1 – Establishment Information

Enter information for the business seeking to be licensed, as identified on the license application.

Licensee:	Beard Brothers Handiworks LLC	License Number:	
License Type:	Winery		
Doing Business As:	Three Northmen		
Premises Address:	102 Main Street		
City:	Haines	State:	AK
		ZIP:	99827

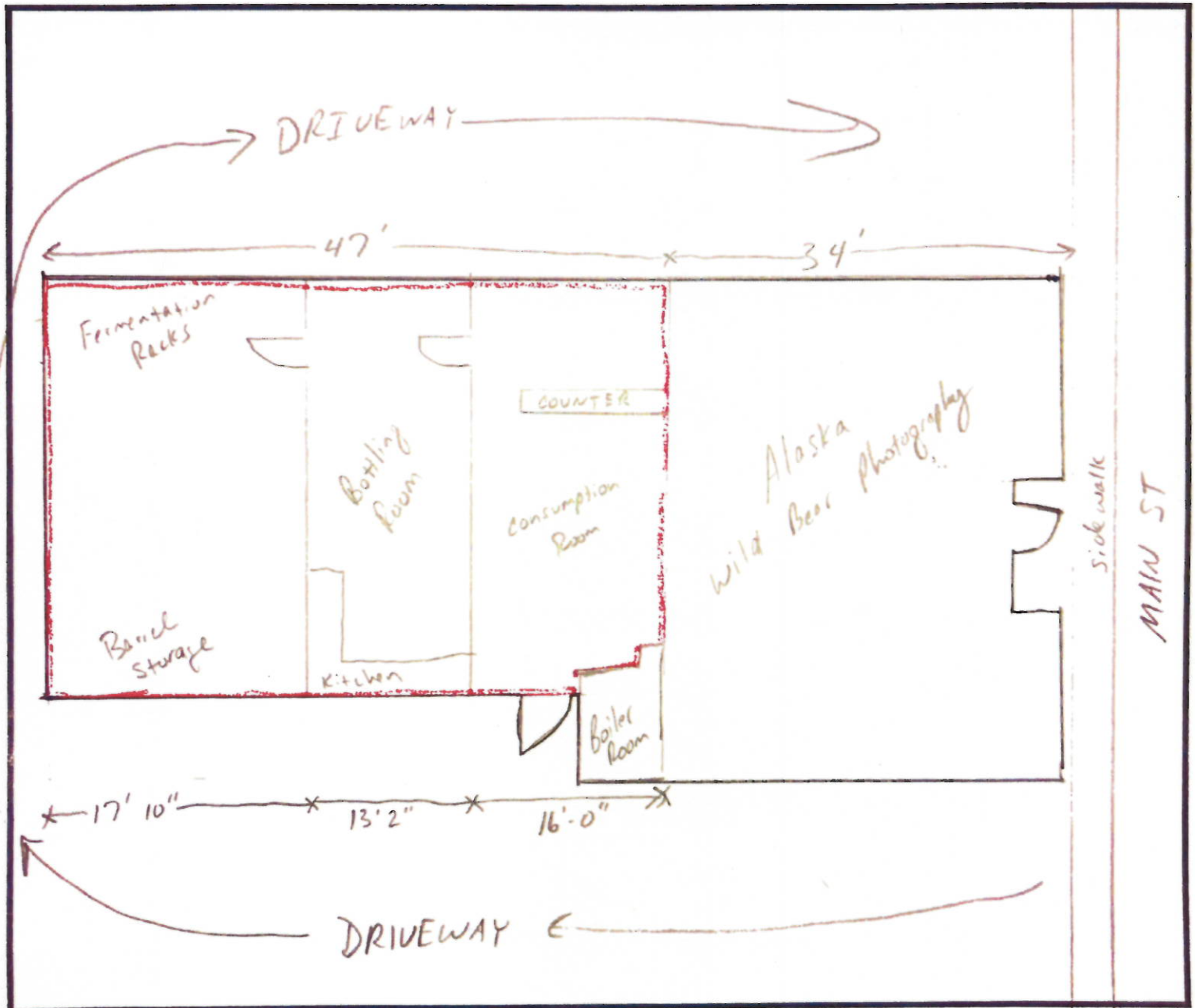


Alaska Alcoholic Beverage Control Board

Form AB-02: Premises Diagram

Section 2 – Detailed Premises Diagram

Clearly indicate the boundaries of the premises and the proposed licensed area within that property. Clearly indicate the interior layout of any enclosed areas on the proposed premises. Clearly identify all entrances and exits, walls, bars, and fixtures, and outline in red the perimeter of the areas designated for alcohol storage, service, consumption, and manufacturing. Include dimensions, cross-streets, and points of reference in your drawing. You may attach blueprints or other detailed drawings that meet the requirements of this form.



FRONT STREET

HARBOR

HSFF

THE BEAR
DEN

LEC

BEARD
BROTHERS
FERMENTING

ALASKA
WILD
BEAR
RESTAURANT

WAMPA
MUSEUM

RUSTY COMPACT
COFFEE HOUSE

CHISEL
BUILDING

ALLEYWAY

MAIN STREET

SHELDON
MUSEUM

FNBA PARKING

FIRST
NATIONAL
BANK
ALASKA

2ND STREET

AMCO

JAN 17 2020

SCHEDULE*
BUDGET MEETINGS AND PUBLIC HEARINGS
 FY21 BUDGET

All meetings will be held in the Assembly Chambers in the Public Safety Building

DATE/TIME	AGENDA
Tues, 4/14/20 5:30-6:30	Finance Committee Meeting – Presentation by Finance Director and Manager
Tues, 4/14/20 6:30 Mtg	Regular Assembly Meeting
Tues, 4/28/20 6:30-8:30	Regular Assembly Meeting: Introduction of Budget Ordinance
Tues, 5/05/20 5:30 –7:00	Budget COW
Tues, 5/12/20 5:30pm	Finance Committee Meeting
Tues, 5/12/20 6:30pm	Regular Assembly Meeting: First Public Hearing of Budget Ordinance at regular meeting.
Tues, 5/19/20 5:30 –7:00	Budget COW
Tues, 5/26/20 6:30 pm	Regular Assembly Meeting: Second Public Hearing of Budget Ordinance at regular meeting.
Tues, 6/09/20 5:30pm	Finance Committee Meeting- Review Budget Amendments
Tues, 6/09/20 6:30pm	Regular Assembly Meeting: Third Public Hearing of Budget Ordinance at regular meeting. Adopt Budget.

Note: Per Haines Borough Charter 9.01(D), the budget must be adopted by June 15.

*Schedule and Agenda subject to change.

Please check the website periodically for updates: www.hainesalaska.gov